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The Police Commission

CITY AND COUNTY OF SAN FRANCISCO

DENNIS HERRERA
President

SIDNEY CHAN
Vice President

PAT NORMAN
Commissioner

CONNIE PERRY
Commissioner

WAYNE FRIDAY
Commissioner

LT. MANUEL BARRETTA
Secretary

SAN FRANCISCO POLICE COMMISSION AGENDA

REGULAR MEETING
WEDNESDAY, JANUARY 5, 2000
5:30 p.m.

Thomas J. Cahill Hall of Justice
850 Bryant Street, Room 551
San Francisco, California

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1. Pledge of Allegiance
2. Roll Call
3. Approval of Consent Calendar
4. Police Commission Announcements
   a. Motion of Calendaring of New Items
5. Chief's Announcements and Review of Recent Department Events
6. OCC Director's Report re: Staffing and Budget and Summary of Recent Events
7. Discussion and Action re: Department General Order 3.09, "Department Awards"
8. Public Comments
   (Members of the public may address the Commission on items that are within the subject matter jurisdiction of the Police Commission that do not appear on the agenda.)

CONSENT CALENDAR

1. Request of Sergeant George Gulbengay for Approval to Accept Gift of $25.00, from Ms. Helen F. Foley, to be Donated to Glide Memorial Church

*There will be Public Comments on any item before or during discussion of each item.

KNOW YOUR RIGHTS UNDER THE SUNSHINE ORDINANCE
(Chapter 67 of the San Francisco Administrative Code)

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PUBLIC MEETING/HEARING
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San Francisco Police Department

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The Police Commission of the City and County of San Francisco met in their chambers, Room 551, Thomas J. Cahill Hall of Justice, 850 Bryant Street, San Francisco, at 5:30 p.m., in a Regular Meeting.

AYES: Commissioners Herrera, Chan, Norman, Perry, Friday

APPROVAL OF CONSENT CALENDAR

RESOLUTION NO. 1-00

APPROVAL OF THE REQUEST OF SERGEANT GEORGE GULBENGAY TO ACCEPT GIFT OF $25.00, FROM MS. HELEN F. FOLEY, TO BE DONATED TO GLIDE MEMORIAL CHURCH

RESOLVED, that the Police Commission hereby approves request of Sergeant George Gulbengay to accept gift of $25.00, from Ms. Helen F. Foley, to be donated to Glide Memorial Church.

AYES: Commissioners Herrera, Chan, Norman, Perry, Friday

POLICE COMMISSION ANNOUNCEMENTS

a. Motion of Calendaring of New Items

Commissioner Herrera will be out of town from the 16th to the 23rd of this month. The meeting of the 19th will be at the Tenderloin District.

CHIEF'S ANNOUNCEMENTS AND REVIEW OF RECENT DEPARTMENT EVENTS

Sergeant Dan Linehan, FOB, gave an overview of the New Year's Eve events. Commissioner Norman discussed New Year's Eve events and commended Sgt. Linehan, the command staff, and the department for their efforts. Commissioner Herrera commended and thanked the department.

OCC DIRECTOR'S REPORT RE: STAFFING AND BUDGET AND SUMMARY OF RECENT EVENTS

Mary Dunlap, Director of OCC, stated that the annual report will be delayed. Director Dunlap also stated that General Order 8.10 report is complete and will be presented to the Commission in the near future. She also discussed flyers regarding OCC investigator.

Commissioner Norman asked regarding New Year's Eve complaints and Director Dunlap stated that no complaints to date.

DISCUSSION AND ACTION RE: DEPARTMENT GENERAL ORDER 3.09, "DEPARTMENT AWARDS"

Lieutenant Steve Johnson, Planning, presented general order.

RESOLUTION NO. 2-00

ADOPTION OF REVISED GENERAL ORDER 3.09, "DEPARTMENT AWARDS"

RESOLVED, that the Police Commission hereby adopts revised General Order, 3.09, "Department Awards."

AYES: Commissioners Herrera, Chan, Norman, Perry, Friday

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PUBLIC COMMENTS

Matthew Dodd discussed police action in downtown area.

Thereafter, the meeting was adjourned at 6:05 p.m.

Lieutenant Manuel Barretta
Secretary
THE POLICE COMMISSION

1137/rc

The Police Commission

CITY AND COUNTY OF SAN FRANCISCO

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Vice President

PAT NORMAN
Commissioner

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Commissioner

WAYNE FRIDAY
Commissioner

LT MANUEL BARRETTA
Secretary

SAN FRANCISCO POLICE COMMISSION AGENDA

REGULAR MEETING
WEDNESDAY, JANUARY 12, 2000
5:30 p.m.

Thomas J. Cahill Hall of Justice
850 Bryant Street, Room 551
San Francisco, California

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1. Pledge of Allegiance
2. Roll Call
3. Approval of Consent Calendar
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8. Discussion and Action re: Revised General Order 6.15, "Property Processing"
9. Discussion and Action re: Revised General Order 10.02, "Equipment"
10. Public Comments
    (Members of the public may address the Commission on items that are within the subject matter jurisdiction of the Police Commission that do not appear on the agenda.)

The Police Commission

CITY AND COUNTY OF SAN FRANCISCO

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WAYNE FRIDAY
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LT. MANUEL BARRETTA
Secretary

SAN FRANCISCO POLICE COMMISSION AGENDA

REGULAR MEETING
WEDNESDAY, JANUARY 12, 2000
5:30 p.m.

Thomas J. Cahill Hall of Justice
850 Bryant Street, Room 551
San Francisco, California

11. Possible Action and Disposition re: Disciplinary Charges filed against Officer Edgar A. Gonzalez, Support Services (File No. C98-171 JWA)

12. Possible Action and Disposition re: Disciplinary Charges filed against Officer Anthony M. Montoya, Southern (File No. C98-170 JWA)

CONSENT CALENDAR

1. Request of the Chief of Police for Approval to Accept Donation of Athletic Equipment, valued at $4,500.00, from Mr. John Gourgott, owner of World's Gym, for use of the Narcotics Division

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San Francisco Police Department

The San Francisco Police Commission and the Tenderloin Task Force

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Cordially invite you to attend the monthly meeting of the

San Francisco Police Commission

Date: Wednesday, January 19, 2000
Time: 6:00 p.m.
Location: Glide Memorial Church, Freedom Hall, 330 Ellis Street

Come and meet the members of the San Francisco Police Commission and participate in the "Public Comment Session" during the meeting!

The Police Commission

CITY AND COUNTY OF SAN FRANCISCO

DENNIS HERRERA
President

SIDNEY CHAN
Vice President

PAT NORMAN
Commissioner

CONNIE PERRY
Commissioner

WAYNE FRIDAY
Commissioner

LT MANUEL BARRETTA
Secretary

1/2000

SAN FRANCISCO POLICE COMMISSION AGENDA
REGULAR MEETING
WEDNESDAY, JANUARY 19, 2000
6:00 p.m.

TENDERLOIN DISTRICT
GLIDE MEMORIAL CHURCH
FREEDOM HALL
330 Ellis Street
San Francisco

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1. Pledge of Allegiance
2. Roll Call
3. Police Commission Announcements
   a. Motion of Calendaring of New Items
4. Chief's Announcements and Review of Recent Department Events
5. OCC Director's Report re: Staffing, Budget and Summary of Recent Events
6. Captain Sue Manheimer, Commanding Officer of the Tenderloin Task Force, to address the Commission on Police Activities in the Tenderloin District
7. Public Comments
   (Members of the public may address the Commission for up to 3 minutes for individuals or up to 5 minutes for groups. The President of the Commission may limit the total testimony time.)

**There will be Public Comments on any item before or during discussion of each item.*

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The proceeding will be held at Glide Memorial Church, Freedom Hall, 330 Ellis, SF.
The closest accessible BART Powell Street Station.
Accessible MUNI lines serving this location are #27 Bryant, #38 Geary, #31 Balboa

For information about MUNI service call 923 6142.

Accessible parking is available at the following location: _____

Accessible seating for persons with disabilities and wheelchairs will be available.

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San Francisco Police Department

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The Police Commission of the City and County of San Francisco met in the Tenderloin District, Glide Memorial Church, Freedom Hall, 330 Ellis Street, San Francisco, at 6:05 p.m., in a Regular Meeting.

PRESENT: Commissioners Chan, Norman, Perry, Friday
ABSENT: Commissioner Herrera

POLICE COMMISSION ANNOUNCEMENTS

a. Motion of Calendaring of New Items

Commissioner Norman asked that the meeting be held in memory of Officers Brookbush and Dougherty.

A moment of silence was held in memory of the officers.

Mr. Calvin Gipson welcomed the Commission on behalf of Reverend Cecil Williams.

The Commissioners introduced themselves.

Commissioner Chan acknowledged Chris Cunnie, POA, and the Command Staff.

CHIEF'S ANNOUNCEMENTS AND REVIEW OF RECENT DEPARTMENT EVENTS

Chief Lau thanked Glide Memorial and deferred to Captain Manheimer.

Chief Lau introduced command staff.

OCC DIRECTOR'S REPORT RE: STAFFING, BUDGET, AND SUMMARY OF RECENT EVENTS

Director Mary Dunlap, OCC, described duties of the Office of Citizen Complaints.

CAPTAIN SUE MANHEIMER, COMMANDING OFFICER OF THE TENDERLOIN TASK FORCE, TO ADDRESS THE COMMISSION ON POLICE ACTIVITIES IN THE TENDERLOIN DISTRICT

Captain Sue Manheimer addressed the audience regarding activities in the district and introduced Lieutenants Paul Chignell, Al Pardini, Tim Foley, and Gary Jimenez.

PUBLIC COMMENTS

Alvin White commended officers who marched in Martin Luther King March.

Gary Jenkins approved of Prop 21 and discussed drug problem in the area.

Marvin Phillips thanked officers for their efforts and discussed drug use in the area.

Kan Liam, business owner, discussed crime in area.

Tim Mashock, Coalition on Homeless, discussed complains regarding action of police at United Nations Plaza.

Herman Taff thanked police.

Susan Phillips thanked Captain Manheimer and staff.

Jim Thompson commended Captain Manheimer and asked for more officers.

Terrence Allen, business owner, discussed concerns regarding crime in area.

Nicholas Rosenberg thanked Captain Manheimer and members of the Tenderloin Task Force.

Michael Nulty discussed mental health issues and drugs.

Jerry Harper discussed drugs in area.

Thereafter, the meeting was adjourned at 7:40 p.m.

Lieutenant Manuel Barretta
Secretary
THE POLICE COMMISSION

1137/rc

The Police Commission

CITY AND COUNTY OF SAN FRANCISCO

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Commissioner

WAYNE FRIDAY
Commissioner

LT MANUEL BARRETTA
Secretary

SAN FRANCISCO POLICE COMMISSION AGENDA

REGULAR MEETING
WEDNESDAY, JANUARY 26, 2000
5:30 p.m.

Thomas J. Cahill Hall of Justice
850 Bryant Street, Room 551
San Francisco, California

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JAN 25 2000

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1. Pledge of Allegiance
2. Roll Call
3. Approval of Consent Calendar
4. Police Commission Announcements
   a. Motion of Calendaring of New Items
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   c. Notification of Resignation of Officer John A. Solis, Support Services
5. Chief's Announcements and Review of Recent Department Events
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7. Discussion and Action re: Issuance of the Telescopic Baton for Full-time Bicycle Patrol Officers
8. Discussion and Action re: Revised General Order 6.15, "Property Processing"
9. Discussion and Action re: Revised General Order 10.02, "Equipment"
10. Discussion and Action re: Request of the Chief of Police for Approval to Accept a 1995 Chevrolet from The Little People's Program, valued at $7,000, for Use of the Youth Fishing Program
11. Public Comments
    (Members of the public may address the Commission on items that are within the subject matter jurisdiction of the Police Commission that do not appear on the agenda.)

The Police Commission

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SAN FRANCISCO POLICE COMMISSION AGENDA

REGULAR MEETING
WEDNESDAY, JANUARY 26, 2000
5:30 p.m.

Thomas J. Cahill Hall of Justice
850 Bryant Street, Room 551
San Francisco, California

12. Hearing and/or Possible Action and Disposition re: Disciplinary Charges filed against Officer Edgar A. Gonzalez, Support Services (File No. C98-171 JWA)

13. Hearing and/or Possible Action and Disposition re: Disciplinary Charges filed against Officer Anthony M. Montoya, Southern (File No. C98-170 JWA)

14. Hearing and/or Possible Action and Disposition re: Disciplinary Charges filed against Officer Donald R. Calkin, Support Services (File Nos. C96-158[311] JWA & C97-215 JWA)

CONSENT CALENDAR

1. Request of the Chief of Police for Approval to Accept Donation of Athletic Equipment, valued at $4,500.00, from Mr. John Gourgott, owner of World's Gym, for use of the Narcotics Division

*There will be Public Comments on any item before or during discussion of each item.

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San Francisco Police Department

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JUN - 9 2000

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The Police Commission of the City and County of San Francisco met in their chambers, Room 551, Thomas J. Cahill Hall of Justice, 850 Bryant Street, San Francisco, at 5:30 p.m., in a Regular Meeting.

PRESENT: Commissioners Herrera, Chan, Norman, Perry, Friday

APPROVAL OF CONSENT CALENDAR

RESOLUTION NO. 3-00

APPROVAL TO ACCEPT DONATION OF ATHLETIC EQUIPMENT, VALUED AT $4,500.00, FROM MR. JOHN GOURGOTT, OWNER OF WORLD'S GYM, FOR USE OF THE NARCOTIC DIVISION

RESOLVED, that the Police Commission hereby approves request of the Chief of Police to accept donation of athletic equipment, valued at $4,500.00, from Mr. John Gourgott, owner of World's Gym, for use of the Narcotics Division.

AYES: Commissioners Herrera, Chan, Norman, Perry, Friday

POLICE COMMISSION ANNOUNCEMENTS

a. **Motion of Calendaring of New Items**
b. **Election of Officers**
c. **Notification of Resignation of Officer John A. Solis, Support Services**

Commissioner Friday nominated Commissioner Herrera for President and Commission Chan for Vice President. Commissioner Perry seconds the motion.

RESOLUTION NO. 4-00

ELECTION OF OFFICERS FOR THE POLICE COMMISSION

RESOLVED, that, the Police Commission elected Commissioner Dennis Herrera as President of the Police Commission and Commissioner Sidney Chan as Vice President.

AYES: Commissioners Herrera, Chan, Norman, Perry, Friday

RESOLUTION NO. 5-00

HEARING OF OFFICER JOHN A. SOLIS, SUPPORT SERVICES (FILE NO. C99-249 JWA)

WHEREAS, on November 17, 1999, Fred H. Lau, Chief of Police, made and served charges against Police Officer John A. Solis, Star No. 782, as follows:

SPECIFICATION NO. 1
Engaging in conduct which subverts the good order, efficiency, or discipline of the department or which reflects discredit on the department (violation of Rules 1 and 9 of Department General Order 2.01 of the San Francisco Police Department);

SPECIFICATION NO. 2
Engaging in conduct which subverts the good order, efficiency, or discipline of the department or which reflects discredit on the department (violation of Rules 1 and 9 of Department General Order 2.01 of the San Francisco Police Department);

and

WHEREAS, Officer John A. Solis, Star No. 782, Support Services, submitted his resignation from the San Francisco Police Department effective close of business on Wednesday, January 19, 2000; therefore be it

RESOLVED, that the charges of violating the Rules and Procedures of the San Francisco Police Department filed against Officer John A. Solis, Star No. 782, be, and the same are hereby continued off calendar.

AYES: Commissioners Herrera, Chan, Norman, Perry, Friday

CHIEF'S ANNOUNCEMENTS AND REVIEW OF RECENT DEPARTMENT EVENTS

Chief Lau deferred to Captain Ehrlich.

Captain Ehrlich introduced Mr. Reuben Rodriguez of United Way.

Mr. Rodriguez commended Captain Ehrlich for his efforts and presented Captain Ehrlich with award.

Commissioner Herrera thanked Captain Ehrlich.

OCC DIRECTOR'S REPORT RE: STAFFING AND BUDGET AND SUMMARY OF RECENT EVENTS

Director Dunlap stated that the OCC is working on the budget and discussed First Amendment general order.

HEARING AND/OR POSSIBLE ACTION AND DISPOSITION RE: DISCIPLINARY CHARGES FILED AGAINST OFFICER ANTHONY M. MONTOYA, SOUTHERN (FILE NO. C98-170 JWA)

Taken out of order.

HEARING OF OFFICER ANTHONY MONTOYA, SOUTHERN (FILE NO. C98-170 JWA)

The hearing of Police Officer Anthony Montoya, Star No. 1522, was called it having been set for this date. Officer Schlegle was charged, in a properly verified complaint by Acting Chief of Police William Welch of the San Francisco Police Department, with violating the Rules and Procedures as follows:

SPECIFICATION NO. 1

Failure to provide for the safety of a prisoner in his care (violation of Rule 35 of Department General order 2.01 of the San Francisco Police Department);

SPECIFICATION NO. 2

Failure to truthfully and without evasion when questioned by a superior officer (violation of Rule 21 of Department General Order 2.01 of the San Francisco Police Department);

Officer Anthony Montoya appeared in person and was represented by Ms. Kathy Mahoney, POA.

Mr. Jerry W. Akins, Attorney at Law, appeared on behalf of the San Francisco Police Department.

The Department entered a motion to amend charges filed against Officer Montoya. The Commission approved motion to amend charges.

Officer Montoya admitted to the specification contained in Specification No. 1 of amended charges contained in File No. C98-170 JWA. Officer Montoya

personally affirmed the admission in these matters and accepts responsibility for his acts.

Based on Officer Montoya's admission, the Commission requested a recommendation from Chief of Police Fred H. Lau. It is the recommendation of the Chief of Police that Officer Anthony M. Montoya be suspended for thirty (30) days, but that fifteen (15) days be held in abeyance for two (2) years on the conditions that Officer Montoya not engage in any serious acts of misconduct and that he serves fifteen (15) days of the thirty (30) day suspension forthwith.

The Commission took the matter under submission and the following resolution was adopted:

RESOLUTION NO. 8-00

DECISION-HEARING OF OFFICER ANTHONY M. MONTOYA (FILE NO. C98-170 JWA)

WHEREAS, on January 21, 2000, Fred H. Lau, Chief of Police of the San Francisco Police Department, made and served amended charges against Officer Anthony M. Montoya, as follows:

AMENDED CHARGES:

SPECIFICATION NO. 1

Neglect of duty (violation of Rule 9 of Department General Order 2.01 of the San Francisco Police Department);

a. At all times herein mentioned Anthony M. Montoya, Star Number 1522, (hereinafter referred to as "the accused") was a police officer employed by the San Francisco Police Department assigned to the Southern District of the Field Operations Bureau;

b. As a police officer, the accused was and is responsible for knowing and obeying the rules, orders, and procedures of the San Francisco Police Department;

c. On May 11, 1997, at 2030 hours, the accused was on duty engaged in patrol duties in the Southern District working the 1600-0200 hour shift;

d. On May 11, 1997, at 2030 hours, the accused and another officer effected a traffic stop of a motorist on South Van Ness Avenue near its intersection with Market Street in the City and County of San Francisco;

e. After effecting the traffic stop, the accused noticed the strong odor of alcohol about the driver of the vehicle they had just stopped ("the victim"). The accused requested, and the victim attempted to perform a Field Sobriety Test. The victim did not perform satisfactorily and the accused arrested him, handcuffed him, and placed him in the back seat of his patrol vehicle;

f. The accused explained the victim's rights and obligations connected to his driving privilege and his implied consent to testing in English. The victim did not understand the instructions to him in English. The accused determined that an interpreter was necessary to explain the process to the victim in Spanish. The accused requested that Communications send a Spanish-speaking officer to assist him;

g. A San Francisco Police Department officer who speaks Spanish ("the responding officer") responded tot he scene very shortly after he was

called. The responding officer sat in the front seat of the patrol vehicle and attempted to explain to the victim that he must submit to a chemical test for alcohol in his blood. The victim was uncooperative. As some point the victim replied to the responding officer in language which the responding officer took as an insult;

h. The responding officer exited the front seat, opened the rear door to the vehicle, and entered the back seat of the vehicle with the handcuffed victim. The responding officer then struck the victim with his fists several times;

i. The accused, despite having a duty to care for his prisoner, neglected to care for him during this phase of the investigation. The accused neglected to participate in, or to witness the questioning of his prisoner; or to take steps to protect his prisoner form the responding officer's use of force;

j. The accused, by neglecting to fully investigate his arrest, violated department policy and procedures set forth in department general orders in violation of Rule 9 of Department General Order 2.01, which states:

MISCONDUCT. "Any breach of the peace, neglect of duty, misconduct, or any conduct by an officer either within or without the State that tends to subvert the order, efficiency, or discipline of the Department, or reflects discredit upon the Department or any member or is prejudicial to the efficiency and discipline of the Department, although not specifically defined or set forth in Department policies and procedures, shall be considered unofficer-like conduct subject to disciplinary action."

WHEREAS, a hearing on said charges was held before the Police Commission pursuant to Appendix A, Section A 8.343 of the Charter of the City and County of San Francisco on January 26, 2000 where the matter was submitted to the Police Commission for decision; and

WHEREAS, based on Officer Anthony M. Montoya's admission, the Commission finds the allegations contained in Specification No. 1 of the amended charges as preferred by Chief of Police Fred H. Lau against Officer Montoya are sustained; and the Commission adopts the sustained specification as its findings in this matter; therefore be it

RESOLVED, that based on these findings, consistent with the Commission's duty to protect the health, safety, and general welfare of the citizens of the City and County of San Francisco and the public in general, and in order to promote efficiency and discipline in the San Francisco Police Department, the Police Commission orders the following discipline be imposed:

SPECIFICATION NO. 1

Sustained

That Officer Anthony M. Montoya be suspended for thirty (30) days; that fifteen (15) days of the thirty (30) day suspension be held in abeyance for two (2) years on the conditions that Officer Montoya not engage in any serious acts of misconduct.

FURTHER RESOLVED, that said fifteen (15) day suspension shall commence on Thursday, January 27, 2000, at 0001 hours, and terminate on ***Thursday, February 10, 2000***, at 2400 hours.

If this decision is subject to review under Code of Civil Procedure section 1094.5, then the time and within which judicial review must be sought is governed by California Code of Civil Procedure, section 1094.6.

AYES: Commissioners Herrera, Chan, Norman, Perry, Friday

HEARING AND/OR POSSIBLE ACTION AND DISPOSITION RE: DISCIPLINARY CHARGES FILED AGAINST OFFICER DONALD R. CALKIN, SUPPORT SERVICES (FILE NOS. C96-158[311] JWA & C97-215 JWA)

Taken out of order.

HEARING OF OFFICER DONALD R. CALKIN, SUPPORT SERVICES (FILE NOS. C96-158[311] JWA & C97-215 JWA)

The hearing of Police Officer Donald R. Calkin, Star No. 1705, was called it having been set for this date. Officer Calkin was charged, in a properly verified complaint by Chief of Police Fred H. Lau of the San Francisco Police Department, with violating the Rules and Procedures as follows:

FILE NO. C97-215 JWA:

SPECIFICATION NO. 1

Engaging in conduct which subverts the good order, efficiency and discipline of the department and which brings discredit on the department (violation of Rule 9 of Department General Order 2.01 of the San Francisco Police Department);

SPECIFICATION NO. 2

Engaging in conduct which subverts the good order, efficiency and discipline of the department and which brings discredit on the department (violation of Rule 9 of Department General Order 2.01 of the San Francisco Police Department):

FILE NO. C96-158[311]JWA:

SPECIFICATION NO. 1:

Engaging in conduct which subverts the good order, efficiency and discipline of the department and which brings discredit on the department (violation of Rule 9 of Department General Order 2.01 of the San Francisco Police Department);

SPECIFICATION NO. 2:

Working secondary employment while on sick leave and working secondary employment without first securing written permission (violation of Rule M-2-i of Department General order 11.01 and Rule l-A-3 of Department General Order 11.02 of the San Francisco Police Department);

Officer Donald R. Calkin appeared in person and was represented by Ms. Kathy Mahoney, Attorney at Law.

Mr. Jerry W. Akins, Attorney at Law, appeared on behalf of the San Francisco Police Department.

The Department entered a motion to amend charges in matter C96-158[311]JWA and asks the Commission to order matter C97-215 JWA off calendar. The Commission approved motion to amend charges contained in C95-158[331]JWA and ordered matter C97-215 JWA off calendar.

Officer Calkin admitted to amended charges contained in Specification

Nos. 1 and 2 in matter C96-158[311] JWA. Officer Calkin personally affirmed the admission in these matters and accepts responsibility for his acts.

Based on Officer Calkin's admission, the Commission requested a recommendation from Chief of Police Fred H. Lau. It is the recommendation of the Chief of Police that Officer Donald R. Calkin that, on Specification No. 1, be terminated and that said termination shall be held in abeyance for two (2) years and that Officer Calkin serve a 35-day suspension with credit for the five (5) days he was on interim suspension at the commencement of this matter before the Commission; and, that Officer Calkin be reprimanded for neglect of duty as contained in Specification No. 2.

The Commission took the matter under submission and the following resolution was adopted:

RESOLUTION NO. 9-00

DECISION - HEARING OF OFFICER DONALD R. CALKIN, SUPPORT SERVICES (FILE NOS. C96-158[311] JWA & C97-215 JWA)

WHEREAS, on January 20, 2000, Fred H. Lau, Chief of Police of the San Francisco Police Department, made and served amended charges against Officer Donald R. Calkin, as follows:

AMENDED CHARGES: (File No. C96-158[311] JWA)

SPECIFICATION NO. 1

Engaging in conduct which subverts the good order, efficiency and discipline of the department and which brings discredit on the department (violation of Rule 9 of Department General Order 2.01 of the San Francisco Police Department);

(1) At all times herein mentioned, Donald R. Calkin, Star Number 1705, (hereinafter referred to as "the accused) was a police officer employed by the San Francisco Police Department, assigned to the Forensic Services Division of the Inspectors Bureau;

(2) As a police officer, the accused was and is responsible for knowing and obeying the rules, orders, and procedures of the San Francisco Police Department;

(3) On February 22, 1996, the accused was assigned to the Crime Scene Investigations Unit of the Forensic Services Division. On February 22, 1996, at 0900 hours, the accused was assigned to investigate a crime scene and process the evidence of a burglary in a residence located in the 3000 block of 23rd Street, San Francisco, California. The accused responded to that premises in the 3000 block of 23rd Street, San Francisco, and lifted a useable latent fingerprint from a cabinet in the residence at that address;

(4) On April 16, 1996, another officer assigned to the Crime Scene Investigations Unit processed the evidence rom a burglary scene at residence in the 4000 block of 24th Street, San Francisco, California. The officer lifted a useable latent fingerprint from the crime scene. The officer entered the prints into the Automated Fingerprint Identification System (AFIS) which identified a match with a person previously fingerprinted by the San Francisco Police Department. The officer confirmed the match and a sergeant examined the prints and confirmed from the match that they were fingerprints of the same person.

(5) The information of the confirmed identity of the person whose prints were found at the residence located in the 4000 block of 24th Street, San Francisco, was forwarded to the inspector in the Inspectors Bureau assigned to investigate that burglary.

(6) The Crime Scene Investigations officer who had lifted the print and made the match from the crime scene in the 4000 block of 24th Street, conducted a hand search prints from other recent residential burglaries in the general area. His search revealed that the prints lifted by the accused on February 22, 1996 from the crime scene in the residence in the 3000 block of 23rd Street, San Francisco, matched the prints found at the residence int eh 4000 block of 24th Street. The match was reviewed by another officer in the Crime Scenes Investigations Unit, and he confirmed that the prints matched. The information of this match was also sent to the inspector investigating the burglary in the 4000 block of 24th Street, San Francisco;

(7) The person whose known prints matched the prints found at the crime scenes on23rd Street and 24th Street referred to above, was arrested for the burglaries committed at those addresses. On June 20, 1996, the Municipal Court in San Francisco held a preliminary hearing for the man arrested for the burglaries of the residences on the 3000 block of 23rd Street and the 4000 block of 24th Street, San Francisco, California;

(8) The officer who had lifted the prints at the residence on the 4000 block of 24th Street was unable to attend the preliminary hearing scheduled for June 20, 1996. Therefore, the accused testified concerning his own investigation and pursuant to the Evidence Code §1203.1 [enacted by Proposition 115 in 1990] testified to the investigation and findings of the officer who had lifted prints from the residence on the 4000 block of 24th Street;

(9) After testifying regarding the investigative activities of himself and the other officer, the accused was handed the card he had identified in earlier testimony as the car bearing the latent fingerprint he had lifted from the residence in the 3000 block of 23rd Street and the following questions were asked by the Assistant District Attorney and the accused answered as follows:

"Q. Now, did you have an opportunity to compare that print against the known prints of the defendant in this case?
A. Yes, I did.
Q. And as a result of that comparison did you reach conclusions about that latent fingerprint?
A. Yes, I did.
Q. What was that?
A. It was the right little finger found on the cabinet door is the same as [the defendant]."

The card which the accused identified as bearing the fingerprint he lifted from the crime scene at the residence in the 3000 block of 23rd Street and which the accused testified he had used for comparison before the preliminary hearing was neither the same card nor the same print the other officer from the Crime Scene Investigations Unit had matched to the defendant's prints before giving them to the accused for use at the preliminary hearing on June 20, 1996;

(10) The defendant, in the preliminary hearing on June 20, 1996, had previously admitted to the inspector investigating the cases that he had entered the premises at 4000 block of 24th Street and removed personal property. The defendant was bound over to the Superior Court for trial for both burglaries;

(11) The defendant's attorney retained a fingerprint expert who responded to the crime scene investigations unit on September 6 and 9, 1996, to examine the prints identified as belonging to the defendant. He concluded that the prints the accused testified had been lifted by the accused from the premises located in the 3000 block of 23rd Street and that the accused testified matched the defendant, did not match those of the defendant in the preliminary hearing on June 20, 1996. Other members of the department, including the accused, reviewed the expert's findings and found that the prints did not match;

(12) The accused's testimony regarding the fingerprints, as described above, constituted conduct which any reasonable officer should know would subvert the good order, efficiency, and discipline of the department and which would bring discredit on the department, in violation of Rule 9 of Department General Order 2.01 of the San Francisco Police Department. which states:

"MISCONDUCT. Any breach of the peace, neglect of duty, misconduct or any conduct on the part of an officer either within or without the State that tends to subvert the order, efficiency, or discipline of the Department, or reflects discredit upon the Department or any member, or is prejudicial to the efficiency and discipline of the Department, though not specifically defined or set forth in Department policies and procedures, shall be considered unofficer-like conduct subject to disciplinary action."

SPECIFICATION NO. 2

Working secondary employment while on sick leave and working secondary employment without first securing written permission (violation of Rule M-2-i of Department General order 11.01 and Rule 1-A-3 of Department General Order 11.02 of the San Francisco Police Department);

(13) Each of the allegations contained in paragraphs 1 and 2 in Specification No. 1 is realleged and incorporated herein by reference;

(14) On September 10, 1996, the accused contacted a supervisor in the Crime Scene Investigations Unit and requested that he be permitted to work form 1200 hours to 2000 hours on September 11, 1996 instead of his scheduled shift frm 0700 hours to 1500 hours. The supervisor approved the shift change;

(15) On September 11, 1996, at 0715 hours, the accused called the Crime Scene Investigation Unit and requested to be permitted to take a floating legal holiday on September 11, 1996. The employee the accused spoke with did not have the authority to grant the change. The accused called back shortly thereafter and again asked to speak to the supervisor who was not in. The accused then asked the employee to have the attendance sheet for the day reflect that he is on sick leave pay.

(16) On September 11, 1996, at 1000 hours, the lieutenant supervising the Crime Scene Investigations Unit needed to contact the accused regarding his reassignment to another unit in connection with the matter referred to in Specification No. 1 above. The lieutenant went to the City Tow Auction on Pier 70, where the accused had stated he would be working. The accused was there working. When the lieutenant approached him, the accused pointed out that he did not have an approved secondary employment request, and that he had a blank request form which he intended to have filled out that day;

(17) On September 11, 1996, at 1230 hours, the lieutenant supervising the Crime Scene Investigations Unit returned to Pier 70 to discuss the matter

specified in Specification No. 1 and found that the accused was still at Pier 70 and was still working for the tow company;

(18) The accused, by working while on sick leave, violated Rule M-2-i of Department General Order 11.01, which states:

"Members shall not engage in any other business or calling while on sick leave or disability leave, even though prior written permission to engage in secondary employment has been received from the Chief of Police . . ."

(19) The accused, by working secondary employment without first obtaining written permission from the Chief of Police violated Rule II-A-3 of Department General Order 11.02 of the San Francisco Police Department, which states:

"WRITTEN PERMISSION. Officers shall not engage in secondary employment or any other business or calling without prior written permission from the Chief of Police . . ."

WHEREAS, a hearing on said charges was held before the Police Commission pursuant to Appendix A, Section A8.343 of the Charter of the City and County of San Francisco on January 26, 2000 when the matter was submitted to the Police Commission for decision; and

WHEREAS, based on Officer Donald R. Calkin's admission, the Commission finds the allegations contained in Specification Nos. 1 & 2 of the amended charges, File No. C96-158[311] JWA, as preferred by Chief of Police Fred H. Lau against Officer Calkin are sustained; and the Commission adopts the sustained specification as its findings in this matter; therefore be it

RESOLVED, that based on these findings, consistent with the Commission's duty to protect the health, safety, and general welfare of the citizens of the City and County of San Francisco and the public in general, and in order to promote efficiency and discipline in the San Francisco Police Department, the Police Commission orders the following discipline be imposed:

File No. C96-158[311] JWA as Amended:

SPECIFICATION NO. 1

Sustained

SPECIFICATION NO. 2

Sustained

That Officer Donald R. Calkin be terminated and that said termination be held in abeyance for two (2) years on the condition that there are no sustained instances of misconduct during the two (2) years; and that Officer Calkin serve a 35-day suspension with credit for the five (5) days he was on interim suspension at the commencement of this matter before the Commission; and

FURTHER RESOLVED, that said 30-day suspension shall commence on Saturday, March 4, 2000, at 0001 hours, and terminated on Sunday, April 2, 2000, at 2400 hours.

If this decision is subject to review under Code of Civil Procedure Section 1094.5, then the time and within which judicial review must be sought is governed by California Code of Civil Procedure, section 1094.6.

AYES: Commissioners Herrera, Chan, Norman, Perry, Friday

HEARING AND/OR POSSIBLE ACTION AND DISPOSITION RE: DISCIPLINARY CHARGES FILED AGAINST OFFICER EDGAR A. GONZALEZ, SUPPORT SERVICES (FILE NO. C98-171 JWA)

Taken out of order and put over for another date.

Commissioner Herrera leaves at 5:50 p.m.

RESOLUTION NO. 6-00

APPROVAL OF ISSUANCE OF THE TELESCOPIC BATON FOR FULL-TIME BICYCLE PATROL OFFICERS

WHEREAS, the pilot program for the telescopic (collapsible) baton has been completed with hopes that full-time bicycle patrol officers would receive the item as an issued Department equipment piece; and

WHEREAS, the Uniform and Safety Committee approved the item after thorough testing in June, 1999; therefore, be it

RESOLVED, that the Police Commission hereby approves issuance of the telescopic baton for full-time bicycle patrol officers.

AYES: Commissioners Chan, Norman, Perry, Friday
ABSENT: Commissioner Herrera

DISCUSSION AND ACTION RE: REVISED GENERAL ORDER 6.15, "PROPERTY PROCESSING"

Officer Karen Mooney asked that it be put over. Put over one week.

DISCUSSION AND ACTION RE: REVISED GENERAL ORDER 10.02, "EQUIPMENT"

Sergeant Mike Griffin, Range master, presented the order. Put over one week.

RESOLUTION NO. 7-00

APPROVAL OF REQUEST OF THE CHIEF OF POLICE TO ACCEPT A 1995 CHEVROLET FROM THE LITTLE PEOPLE'S PROGRAM, VALUED AT $7,000, FOR USE OF THE YOUTH FISHING PROGRAM

WHEREAS, the San Francisco Police Department has received the offer of a 1995 Chevrolet van from The Little People's Fishing Program for use by the Police Department's Youth Fishing Program; and

WHEREAS, it is necessary to obtain authorization from the Board of Supervisors by a resolution in order to accept gifts to the Police Department which have a value over $5,000; now, therefore be it

RESOLVED, that the Police Commission hereby requests the Board of Supervisors of the City and County of San Francisco to adopt the attached resolution which will grant the Chief of Police, on behalf of the San Francisco Police Department, authority to accept the gift of a 1995 Chevrolet van, valued at $7,000, from The Little People's Fishing Program.

AYES: Commissioners Chan, Norman, Perry, Friday
ABSENT: Commissioner Herrera

PUBLIC COMMENTS

Charlotte Matthews, Pedestrian Safety Task Force, discussed letter written to Chief Lau regarding pedestrian safety.

Thereafter, the meeting was adjourned at 6:10 p.m.

_____

Lieutenant Manuel Barretta
Secretary
THE POLICE COMMISSION

1137/rc

The Police Commission

CITY AND COUNTY OF SAN FRANCISCO

DENNIS HERRERA
President

SIDNEY CHAN
Vice President

PAT NORMAN
Commissioner

CONNIE PERRY
Commissioner

WAYNE FRIDAY
Commissioner

LT MANUEL BARRETTA
Secretary

SAN FRANCISCO POLICE COMMISSION AGENDA

AND NOTICE OF SPECIAL MEETING
WEDNESDAY, FEBRUARY 2, 2000
5:15 p.m.

Thomas J. Cahill Hall of Justice
850 Bryant Street, Room 505
San Francisco, California

1. Roll Call

2. Public Comment on all matters pertaining to the Close Session

3. Vote on whether to hold Closed Session and/or assert Attorney/Client Privilege to confer with legal counsel. (San Francisco Administrative Code section 67.11(a).)

4. Closed Session held pursuant to Government Code 54956.9 and San Francisco Administrative Code Section 67.11(b).

   CONFERENCE WITH LEGAL COUNSEL - Existing Litigation

   a. Gina Balestrieri v. CCSF, Superior Court No. 985-591

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SAN FRANCISCO POLICE COMMISSION AGENDA

REGULAR MEETING
WEDNESDAY, FEBRUARY 2, 2000
5:30 p.m.

Thomas J. Cahill Hall of Justice
850 Bryant Street, Room 551
San Francisco, California

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1. Pledge of Allegiance
2. Roll Call
3. Discussion and Vote on whether to Disclose Discussion and Disclosure of Action taken in Closed Session
4. Approval of Consent Calendar
5. Police Commission Announcements
   a. Motion of Calendaring of New Items
6. Chief's Announcements and Review of Recent Department Events
7. OCC Director's Report re: Staffing and Budget and Summary of Recent Events
8. Discussion and Action re: Revised General Order 6.15, "Property Processing"
9. Discussion and Action re: Revised General Order 10.02, "Equipment"
10. Public Comments
    (Members of the public may address the Commission on items that are within the subject matter jurisdiction of the Police Commission that do not appear on the agenda.)

The Police Commission

CITY AND COUNTY OF SAN FRANCISCO

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Commissioner

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Secretary

SAN FRANCISCO POLICE COMMISSION AGENDA

REGULAR MEETING
WEDNESDAY, FEBRUARY 2, 2000
5:30 p.m.

Thomas J. Cahill Hall of Justice
850 Bryant Street, Room 551
San Francisco, California

CONSENT CALENDAR

1. Request of Assistant Chief Earl Sanders for Approval to Accept Donation of $1000.00, from the Upjohn Fund of San Francisco, for Use of the Senior Escort Service

2. Recommendation of the City Attorney for Settlement of the following claim:

   a. Gina Balestrieri v. CCSF, Superior Court No. 985-591

*There will be Public Comments on any item before or during discussion of each item.

KNOW YOUR RIGHTS UNDER THE SUNSHINE ORDINANCE
(Chapter 67 of the San Francisco Administrative Code)

Government's duty is to serve the public, reaching its decisions in full view of the public.

Commissions, boards, councils and other agencies of the City and County exist to conduct the people's business. This ordinance assures that deliberations are conducted before the people and that City operations are open to the people's review.

FOR MORE INFORMATION ON YOUR RIGHTS UNDER THE SUNSHINE ORDINANCE OR TO REPORT VIOLATION OF THE ORDINANCE, CONTACT THE SUNSHINE ORDINANCE TASK FORCE: RACHEL ARNSTINE O'HARA, CLERK, CITY HALL, ROOM 362, 1 DR. CARLTON B. GOODLETT PLACE, SAN FRANCISCO, CA 94102-4683, OFFICE 415-554-6171, (FAX) 415-554-6177, (E-MAIL) Rachel_ArnstineO'Hara@ci.sf.c.us Copies of the Sunshine Ordinance can be obtained from the Clerk of the Sunshine Task Force, the San Francisco Public Library, and on the City's website at www.ci.sf.ca.us

PUBLIC MEETING/HEARING
ACCESSIBILITY INFORMATION

- American sign language interpreters will be available upon request. Please contact Sgt. Michael Sullivan, at 553 1343, at least 72 hours prior to a proceeding. Late requests will be honored if possible.

- A sound enhancement system will be available upon request at the proceeding. Please contact Sgt. Michael Sullivan, at 553 1343 at least 72 hours prior to a proceeding. Late requests will be honored if possible.

- Minutes of the proceedings are available in alternative formats. If you require the use of a reader during the meeting, please contact Sgt. Michael Sullivan, at 553 1343 at least 72 hours prior to a proceeding. Late requests will be honored if possible.

- Individuals with severe allergies, environmental illness, multiple chemical sensitivity or related disabilities should call our accessibility hotline at (415) 553 1343 to discuss meeting accessibility. In order to assist the City's efforts to accommodate such people, attendees at public meetings are reminded that other attendees may be sensitive to various chemical based products. Please help the City to accommodate these individuals.

- The proceeding will be held at 850 Bryant St. Room 551. The closest accessible BART station is at 5th and Market St. Accessible MUNI lines serving this location are 42 and 9X San Bruno Express.

For information about MUNI service call 923 6142.

- Accessible parking is available in the pay parking lot at the rear of the Hall of Justice, enter on 7th St. south of Harrison St.

- Accessible seating for persons with disabilities and wheelchairs will be available.

- For information about the meeting call 553 1667 Voice, or 553 9194 TDD.

San Francisco Police Department

The Police Commission

CITY AND COUNTY OF SAN FRANCISCO

SF
P45
#1

2/9/00
No Meeting

DENNIS HERRERA
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SIDNEY CHAN
Vice President

PAT NORMAN
Commissioner

CONNIE PERRY
Commissioner

WAYNE FRIDAY
Commissioner

LT. MANUEL BARRETTA
Secretary

CALENDAR OF PROCEEDINGS
POLICE COMMISSION MEETING

There will be no Police Commission Regular Meeting on ***Wednesday, February 9, 2000***. The next Police Commission Regular Meeting will be on **Wednesday, February 16, 2000**, at the Thomas J. Cahill Hall of Justice, 850 Bryant Street, Room 551, San Francisco, 5:30 p.m.

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Mission Police Station and Captain Greg Suhr Present

The San Francisco Police Commission District Meeting

Wednesday, February 16, 2000

6:00 P.M.

Mission Station Community Room
630 Valencia Street
(at 17th Street)

In an effort to encourage community input and participation, the Police Commission is holding this weekly hearing in the Mission District. Please take this opportunity to meet with the Commissioners, provide Feedback and express your concerns.

Va a haber alguien que habla espanol para assistir gente que no habla ingles.

Fax Posted 2/11/00
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FEB 15 2000

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Commissioner

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Secretary

SAN FRANCISCO POLICE COMMISSION AGENDA
REGULAR MEETING
WEDNESDAY, FEBRUARY 16, 2000
6:00 p.m.

MISSION DISTRICT
MISSION STATION COMMUNITY ROOM
630 Valencia Street at 17th Street
San Francisco

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FEB 15 2000

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1. Pledge of Allegiance
2. Roll Call
3. Police Commission Announcements
   a. Motion of Calendaring of New Items
4. Chief's Announcements and Review of Recent Department Events
5. OCC Director's Report re: Staffing, Budget and Summary of Recent Events
6. Captain Greg Suhr, Commanding Officer of Mission Station, to address the Commission on Police Activities in the Mission District
7. Public Comments
   (Members of the public may address the Commission for up to 3 minutes for individuals or up to 5 minutes for groups. The President of the Commission may limit the total testimony time.)

*There will be Public Comments on any item before or during discussion of each item.

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The proceeding will be held at Mission Station Community Room, 630 Valencia Street.
The closest accessible BART _____.
Accessible MUNI lines serving this location are 26 Valencia and 48 Mission

For information about MUNI service call 923 6142.

Accessible parking is available at the following location: _____

Accessible seating for persons with disabilities and wheelchairs will be available.

- For information about the meeting call 553-1667 Voice, or 553 9194 TDD.

San Francisco Police Department

SF
P45
#2
2/16/00

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FEBRUARY 16, 2000 **REGULAR MEETING**

The Police Commission of the City and County of San Francisco met in the Mission District, Mission Police Station Community Room 630 Valencia Street, at 6:00 p.m., in a Regular Meeting.

PRESENT: Commissioners Herrera, Chan, Norman, Perry, Friday

POLICE COMMISSION ANNOUNCEMENT

a. Motion of Calendaring of New Items

Commissioner Herrera greeted the audience and the Commissioners introduced themselves.

CHIEF'S ANNOUNCEMENTS AND REVIEW OF RECENT DEPARTMENT EVENTS

Chief Lau deferred to Captain Suhr.

CAPTAIN GREG SUHR, COMMANDING OFFICER OF MISSION STATION, TO ADDRESS THE COMMISSION ON POLICE ACTIVITIES IN THE MISSION DISTRICT

Captain Suhr briefed the Commission on activities in the Mission District and discussed staffing, narcotics, and prostitution in the district.

Commissioner Norman commended Captain Suhr and members of Mission Station.

Commissioner Friday commended Captain Suhr and members of the Mission Station.

OCC DIRECTOR'S REPORT RE: STAFFING, BUDGET, AND SUMMARY OF RECENT EVENTS

Director Mary Dunlap described duties and responsibilities of the OCC.

PUBLIC COMMENTS

Morgan Gorano, businesswoman, complimented Captain Suhr and members of Mission Station.

Unidentified discussed concerns regarding drugs, crimes, and talked of excessive force against her son.

Cathy Gaiza discussed youth employment and activities.

Thereafter, the meeting was adjourned at 7:00 p.m.

_____

Lieutenant Manuel Barretta
Secretary
THE POLICE COMMISSION

1137/rc

The Police Commission

CITY AND COUNTY OF SAN FRANCISCO

DENNIS HERRERA
President

SIDNEY CHAN
Vice President

PAT NORMAN
Commissioner

CONNIE PERRY
Commissioner

WAYNE FRIDAY
Commissioner

LT MANUEL BARRETTA
Secretary

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SAN FRANCISCO POLICE COMMISSION AGENDA

REGULAR MEETING
WEDNESDAY, FEBRUARY 23, 2000
5:30 p.m.

Thomas J. Cahill Hall of Justice
850 Bryant Street, Room 551
San Francisco, California

Fax Posted 2/18/00
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1. Pledge of Allegiance
2. Roll Call
3. Approval of Consent Calendar
4. Police Commission Announcements
   a. Motion of Calendaring of New Items
5. Chief's Announcements and Review of Recent Department Events
6. OCC Director's Report re: Staffing and Budget and Summary of Recent Events
7. Discussion and Action re: OCC Proposed Budget for Fiscal Year 00/01
8. Presentation of OCC Early Warning System Reports for 3rd and 4th Quarters 1999
9. Discussion and Action re: Request of the Chief of Police for Approval to Retroactively Apply for and Accept the "Crime View" Software Program and Training Grant offered by the Environmental Systems Research Institute Inc.
10. Discussion and Action re: SFPD Proposed Budget for Fiscal Year 00/01

The Police Commission

CITY AND COUNTY OF SAN FRANCISCO

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SIDNEY CHAN
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Commissioner

WAYNE FRIDAY
Commissioner

LT MANUEL BARRETTA
Secretary

SAN FRANCISCO POLICE COMMISSION AGENDA

REGULAR MEETING
WEDNESDAY, FEBRUARY 23, 2000
5:30 p.m.

Thomas J. Cahill Hall of Justice
850 Bryant Street, Room 551
San Francisco, California

11. Public Comments
(Members of the public may address the Commission on items that are within the subject matter jurisdiction of the Police Commission that do not appear on the agenda.)

CONSENT CALENDAR

1. Request of Commander Heather Fong, FOB, to accept Gift Certificates, total of $300.00, given to Members of the Command Staff by Ms. Sun Im Kang, widow of Officer James Dougherty

*There will be Public Comments on any item before or during discussion of each item.

KNOW YOUR RIGHTS UNDER THE SUNSHINE ORDINANCE
(Chapter 67 of the San Francisco Administrative Code)

Government's duty is to serve the public, reaching its decisions in full view of the public.

Commissions, boards, councils and other agencies of the City and County exist to conduct the people's business. This ordinance assures that deliberations are conducted before the people and that City operations are open to the people's review.

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PUBLIC MEETING/HEARING
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San Francisco Police Department

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FEBRUARY 23, 2000 **REGULAR MEETING**

The Police Commission of the City and County of San Francisco met in their chambers, Room 551, Thomas J. Cahill Hall of Justice, 850 Bryant Street, San Francisco, at 5:35 p.m., in a Regular Meeting.

PRESENT: Commissioners Herrera, Chan, Norman, Friday
ABSENT: Commissioner Perry

APPROVAL OF CONSENT CALENDAR

RESOLUTION NO. 13-00

APPROVAL OF THE REQUEST OF COMMANDER HEATHER FONG, FOB, TO ACCEPT GIFT CERTIFICATES, TOTAL OF $300.00, GIVEN TO MEMBERS OF THE COMMAND STAFF BY MS. SUN IM KANG, WIDOW OF OFFICER JAMES DOUGHERTY

RESOLVED, that the Police Commission hereby approves request of Commander Heather Fong, Field Operations Bureau, to accept gift certificates, total of $300.00, given to members of the command staff by Ms. Sun Im Kang, widow of Officer James Dougherty.

AYES: Commissioners Herrera, Chan, Norman, Friday
ABSENT: Commissioner Perry

POLICE COMMISSION ANNOUNCEMENTS

a. Motion of Calendaring of New Items

None.

CHIEF'S ANNOUNCEMENTS AND REVIEW OF RECENT DEPARTMENT EVENTS

Chief Welch for Chief Lau discussed middle management training for lieutenants and captains.

Commissioners Herrera asked for report after training is completed.

OCC DIRECTOR'S REPORT RE: STAFFING AND BUDGET AND SUMMARY OF RECENT EVENTS

Director Mary Dunlap discussed two vacancies presently in OCC.

RESOLUTION NO. 14-00

APPROVAL OF PROPOSED OCC BUDGET FOR FY 00/01

RESOLVED, that the Police Commission hereby approves proposed OCC Budget for fiscal year 00/01.

AYES: Commissioners Herrera, Chan, Norman, Friday
ABSENT: Commissioner Perry

PRESENTATION OF OCC EARLY WARNING SYSTEM REPORTS FOR THIRD AND FOURTH QUARTERS, 1999

Director Dunlap presented Early Warning Reports.

RESOLUTION NO. 15-00

APPROVAL OF THE REQUEST OF THE CHIEF OF POLICE TO RETROACTIVELY APPLY FOR AND ACCEPT THE "CRIME VIEW" SOFTWARE PROGRAM AND TRAINING GRANT OFFERED BY THE ENVIRONMENTAL SYSTEMS RESEARCH INSTITUTE INC.

RESOLVED, that the Police Commission hereby approves request of the Chief of Police to retroactively apply for and accept the "Crime View" Software Program and Training Grant offered by the Environmental Systems Research Institute Inc. The software program and training is valued at $15,870.00.

AYES: Commissioners Herrera, Chan, Norman, Friday
ABSENT: Commissioner Perry

DISCUSSION AND ACTION RE: SFPD PROPOSED BUDGET FOR FISCAL YEAR 00/01

Captain Alex Fagan presented budget.

Commissioner Herrera thanked Captain Fagan for his efforts.

Commissioner Chan discussed earlier submission for review prior to approval.

RESOLUTION NO. 16-00

APPROVAL OF PROPOSED SFPD BUDGET FOR FY 00/01

RESOLVED, that the Police Commission hereby approves proposed SFPD Budget for fiscal year 00/01.

AYES: Commissioners Herrera, Chan, Norman, Friday
ABSENT: Commissioner Perry

PUBLIC COMMENTS

None.

Thereafter, the meeting was adjourned at 7:00 p.m.

_____
Lieutenant Manuel Barretta
Secretary
THE POLICE COMMISSION

1137/rc

The Police Commission

CITY AND COUNTY OF SAN FRANCISCO

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Commissioner

CONNIE PERRY
Commissioner

WAYNE FRIDAY
Commissioner

LT MANUEL BARRETTA
Secretary

SAN FRANCISCO POLICE COMMISSION AGENDA

REGULAR MEETING
WEDNESDAY, MARCH 1, 2000
5:30 p.m.

Thomas J. Cahill Hall of Justice
850 Bryant Street, Room 551
San Francisco, California

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1. Pledge of Allegiance
2. Roll Call
3. Police Commission Announcements
   a. Motion of Calendaring of New Items
4. Chief's Announcements and Review of Recent Department Events
5. OCC Director's Report re: Staffing and Budget and Summary of Recent Events
6. Discussion and Action re: OCC Annual Audit Under SFPD General Order 8.10
7. Public Comments
   (Members of the public may address the Commission on items that are within the subject matter jurisdiction of the Police Commission that do not appear on the agenda.)

*There will be Public Comments on any item before or during discussion of each item.

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San Francisco Police Department

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MARCH 1, 2000 **REGULAR MEETING**

The Police Commission of the City and County of San Francisco met in their chambers, Room 551, Thomas J. Cahill Hall of Justice, 850 Bryant Street, at 5:30 p.m., in a Regular Meeting.

AYES: Commissioners Herrera, Chan, Norman, Perry, Friday

POLICE COMMISSION ANNOUNCEMENTS

a. Motion of Calendaring of New Items

Commissioner Herrera asked for status report regarding patrol special insurance.

Commissioner Chan will be out next week.

CHIEF'S ANNOUNCEMENTS AND REVIEW OF RECENT DEPARTMENT EVENTS

Chief Lau announced that Kate Hallisy past away and that service will be at St. Brendan's Church tomorrow and requested that the meeting be adjourned in her memory.

OCC DIRECTOR'S REPORT RE: STAFFING AND BUDGET AND SUMMARY OF RECENT EVENTS

Director Dunlap stated that Lori Taneyoka is the new computer analyst for OCC and will start March 20th.

RESOLUTION NO. 17-00

APPROVAL OF OCC ANNUAL AUDIT UNDER SFPD GENERAL ORDER 8.10

RESOLVED, that the Police Commission hereby approves OCC's Annual Audit under SFPD General Order 8.10.

AYES: Commissioners Herrera, Chan, Norman, Perry, Friday

PUBLIC COMMENTS

None.

Thereafter, the meeting was adjourned in memory of Kate Hallisy at 5:50 p.m.

Lieutenant Manuel Barretta
Secretary
THE POLICE COMMISSION

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Secretary

SAN FRANCISCO POLICE COMMISSION AGENDA

REGULAR MEETING
WEDNESDAY, MARCH 8, 2000
5:30 p.m.

Thomas J. Cahill Hall of Justice
850 Bryant Street, Room 551
San Francisco, California

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1. Pledge of Allegiance

2. Roll Call

3. Police Commission Announcements
   a. Motion of Calendaring of New Items

4. Chief's Announcements and Review of Recent Department Events

5. OCC Director's Report re: Staffing and Budget and Summary of Recent Events

6. Filing and Disposition re: Disciplinary Charges filed against Sergeant Robert G. Hartmann, Support Services (File No. C99-219 JWA) and Status Report re: Pending Disciplinary Charges filed against Sergeant Robert G. Hartmann. Support Services (File Nos. C98-258 JWA & C99-099 JWA)

7. Discussion and Action re: Transfer of Patrol Special Beat #6 from Robert J. Hart to Scott M. Hart. and the Appointment of Scott M. Hart as Patrol Special Officer

8. Discussion and Action re: Transfer of Patrol Special Beat #28 from Robert J. Hart to Todd W. Hart, and the Appointment of Todd W. Hart as Patrol Special Officer

The Police Commission

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SAN FRANCISCO POLICE COMMISSION AGENDA

REGULAR MEETING
WEDNESDAY, MARCH 8, 2000
5:30 p.m.

Thomas J. Cahill Hall of Justice
850 Bryant Street, Room 551
San Francisco, California

9. Public Comments
(Members of the public may address the Commission on items that are within the subject matter jurisdiction of the Police Commission that do not appear on the agenda.)

10. Hearing and Possible Disposition re: Disciplinary Charges filed Against Officer Natalie Komarchuk, Support Services (File No. C99-054 JWA)

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San Francisco Police Department

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MARCH 8, 2000 **REGULAR MEETING**

The Police Commission of the City and County of San Francisco met in their chambers, Room 551, Thomas J. Cahill Hall of Justice, 850 Bryant Street, San Francisco, at 6:15 p.m., in a Regular Meeting.

PRESENT: Commissioners Herrera, Perry, Friday, Quaranta
ABSENT: Commissioner Chan

POLICE COMMISSION ANNOUNCEMENTS

a. Motion of Calendaring of New Items

Commissioner Herrera welcomed Commissioner Angelo Quaranta.

Commissioner Herrera discussed department issues regarding Community Policing vs. New York Diallo case. Commissioner also asked to update regarding racial profiling and roll call training.

Commissioner Herrera discussed meeting with Deputy Chief Holder regarding cyber crime investigations and asked for report in the next three weeks.

Commissioner Perry asked for Crime Lab Report.

CHIEF'S ANNOUNCEMENTS AND REVIEW OF RECENT DEPARTMENT EVENTS

Deputy Chief Welch for Chief Lau, nothing to report.

OCC DIRECTOR'S REPORT RE: STAFFING AND BUDGET AND SUMMARY OF RECENT EVENTS

No report.

FILING AND DISPOSITION RE: DISCIPLINARY CHARGES FILED AGAINST SERGEANT ROBERT G. HARTMANN, SUPPORT SERVICES (FILE NOS. C99-219 JWA, C98-258 JWA & C99-099 JWA)

On Thursday, March 2, 2000, the Chief of Police filed disciplinary charges with the Police Commission against Sergeant Robert G. Hartmann, Star No. 39, as follows:

FILE NO. C99-219 JWA

SPECIFICATION NO. 1

Disqualification from holding office or being employed as a peace officer by the State of California or any of its political subdivisions as a result of being convicted of felony criminal conduct, (disqualification by Government Code § 1029(a)(1);

Mr. Jerry W. Akins, Attorney at Law, appeared on behalf of the San Francisco Police Department.

Ms. Mary Sansen, Attorney at Law, appeared on behalf of Sergeant Robert Hartmann.

The Department entered a motion requesting that the Commission take official notice of ***certified copies*** of sentencing records from Contra Costa County Superior Court, Criminal Court Number 981849-3.

Based on Sergeant Robert Hartmann's conviction of one felony and one offense punishable as a felony under California law and disqualified from holding office or being employed as a peace officer by the State of California or any of its subdivisions, including City and County of San Francisco pursuant to California Government Code § 1029(a)(1), it is the recommendation of the Chief of Police

that Sergeant Robert Hartmann be terminated.

The Commission took the matter under submission and the following resolution was adopted:

RESOLUTION NO. 18-00

DECISION - HEARING OF SERGEANT ROBERT HARTMANN, SUPPORT SERVICES (FILE NOS. C99-219 JWA, C98-258 JWA & C99-099 JWA)

WHEREAS, on November 23, 1998, March 19, 1999, and February 25, 2000, Fred H. Lau, Chief of Police of the San Francisco Police Department, made and served charges against Sergeant Robert Hartmann, as follows:

(File No. C98-258 JWA)

SPECIFICATION NO. 1

Engaging in conduct which subverts the good order, efficiency, and discipline of the department and which brings discredit on the department (a violation of Rule 9 of Department General Order 2.01 of the San Francisco Police Department);

(1) At all times herein mentioned, Robert G. Hartmann, Star Number 39, ("the accused") was and is a police officer holding the rank of sergeant, employed by the San Francisco Police Department and assigned to the Support Services Division, Record Room;

(2) As a police officer, the accused was and is responsible for knowing and obeying the rules, orders, and procedures of the San Francisco Police Department;

(3) The accused has lived in the City of Danville, County of Contra Costa, State of California, since 1992. The accused purchased insurance coverage for his home and contents. Commencing at or about early November 1997, the accused bought expensive electronic equipment and other items of value. The accused has a brother, who also purchased expensive electronic equipment and other items of value. Both brothers brought these items to the residence of the accused in Danville, California, during late November and early December 1997;

(4) On December 17, 1997, the accused reported to the Danville Police Department that burglars had entered his home and taken stereo equipment and other electronic equipment belonging to him and to his brother. On December 22, 1997, the accused presented a printed claim to the casualty insurance company that had written the insurance policy covering his home. The accused also gave oral statements to agents of the insurance company detailing the items he claimed reimbursement for as a result of the alleged burglary;

(5) The insurance company required the accused to submit to examination and make a statement regarding the burglary and the items claimed to have been lost or destroyed, under oath, in the nature of an oral deposition before a notary public which was transcribed by a court reporter;

(6) The contents of the original claim to his insurance company and his subsequent written and oral statements to his insurance company identifying the nature and value of items he claimed, were brought before the Grand Jury sitting in Contra Costa County, California. On November 13, 1998, the Grand Jury returned an indictment of the accused in four counts: violation of California "PENAL CODE § 550(a)(1)[INSURANCE

fraud - false claim];" violation of California "PENAL CODE § 550(b)(3) [INSURANCE FRAUD - CONCEALING EVENT AFFECTING INSURANCE ENTITLEMENT];" violation of California "PENAL CODE §118 [PERJURY UNDER OATH]; and violation of California "PENAL CODE § 148.5(a) [FALSE REPORT OF CRIMINAL OFFENSE];"

(7) The accused, by making false insurance claims, concealing facts concerning the claims, making false statements under oath during a deposition concerning the claims and falsely reporting a felony to the Danville Police Department, engaged in conduct which any reasonable peace officer would recognize as conduct which brings discredit on the department and subverts the good order, efficiency, and discipline of the department, in violation of Rule 9 of Department General Order 2.01, which states:

"*9. MISCONDUCT. Any breach of the peace, neglect of duty, misconduct, or any conduct on the part of an officer, either within or without the State, that tends to subvert the order, efficiency, or discipline of the Department, or reflects discredit upon the Department or any member, or is prejudicial to the efficiency and discipline of the Department, though not specifically defined or set forth in Department policies and procedures, shall be considered unofficer-like conduct subject to disciplinary action.*"

(File No. C99-099 JWA)

SPECIFICATION NO. 1

Failure to obey a direct order (violation of Rule 10 of Department General Order 2.01 of the San Francisco Police Department):

(1) At all times herein mentioned, Robert G. Hartmann, Star Number 39, ("the accused") was and is a police officer holding the rank of Sergeant, employed by the San Francisco Police Department and assigned to the Support Services Division, Record Room, but suspended from duty pending resolution of disciplinary charges pending before the Police Commission in matter C98-258;

(2) As a police officer, the accused was and is responsible for knowing and obeying the rules, orders, and procedures of the San Francisco Police Department;

(3) The accused was indicted and a criminal jury trial is pending in Contra Costa County, State of California, regarding the matters which are also the subject of the pending charges before the San Francisco Police Commission in the matter of Sergeant Robert G. Hartmann, C98-258;

(4) The accused was suspended on November 13, 1998, pending resolution of those charges. It is necessary to interview Sergeant Hartmann to complete the administrative investigation of the accused. In that connection, the attorney representing the accused was contacted in an attempt to schedule a mutually acceptable date for an interview and to determine if she would accept service of the notice ordering the accused to report for an interview. The attorney did not reply to the department's overture;

(5) On February 18, 1999, an MCD "Accused Member Notification" form was prepared, ordering the accused to appear for the interview on March 18, 1999, at 1000 hours. The accused's Commanding Officer notified the accused of the mandatory interview on February 18, 1999;

(6) On March 18, 1999, at 1000 hours, the accused did not appear at the

Management Control Division (MCD) offices as ordered in the February 18, 1999 notice. The MCD investigator assigned to interview the accused contacted the accused's attorney. The attorney stated that the accused would not appear for the interview;

(7) On March 18, 1999, at 1100 hours, the attorney was again contacted and informed that she should produce the accused for an interview forthwith. The attorney contacted the accused and then called back. The attorney stated that the accused would not appear for the interview because of issues related to the pending criminal jury trial;

(8) The accused was obligated to follow the order to report to the Management Control Division on march 18, 1999. Rule C-12 of Department General Order 2.07 of the San Francisco Police Department states: "An officer under suspension shall remain subject to the order of the Chief and the orders, directives, and procedures of the Department;"

(9) The accused was also obligated to cooperate with the department's administrative investigation in this matter. Rule 21 of Department General Order 2.01 of the San Francisco Police Department, states:

"COOPERATION WITH INVESTIGATORS. Members shall, when questioned on matters relating to their employment with the Department by a superior officer or by one designated by a superior officer or by a member of the Office of Citizen Complaints, answer all questions truthfully and without evasion. Prior to being questioned, the member shall be advised of and accorded all his or her rights mandated by law or Memorandum of Understanding (see DGO 2.08, Peace Officers' Rights)."

(10) The Public Safety Officer's Procedural Bill of Rights (California Government Code §§ 3300, et seq.) as incorporated in Department General Order 2.08, also require the accused to appear and be interviewed and provides in pertinent part:

"I.-A.-4. If the investigation of administrative, the officer must answer all questions posed during the administrative investigation. Statements made during an administrative investigation cannot be used against an officer to prove a criminal violation in a subsequent criminal action against the officer. All statements, declarations, or answers to questions regarding the investigation, however, shall be truthful and non-evasive. Members failing to do so shall be subject to disciplinary action."

(11) By refusing to follow lawful orders to report to the Management Control Division to answer questions concerning an administrative investigation, the accused was insubordinate and violated Rule 10 of Department General Order 2.01 of the San Francisco Police Department, which states:

"10. WRITTEN ORDERS. Members shall obey all written orders, policies, and procedures of the Department, and promptly obey all lawful written or verbal directives of superiors."

(File No. C99-219 JWA)

(1) At all times herein mentioned, Robert G. Hartmann, Star Number 39, ("the accused") was and is a police officer holding the rank of sergeant, employed by the San Francisco Police Department and assigned to the Support Services Division, Report Management Section (on personal leave after being suspended pending resolution of disciplinary matters before the Commission);

(2) As a police officer, the accused was and is responsible for knowing and obeying the rules, orders, and procedures of the San Francisco Police Department;

(3) On November 13, 1998, the Contra Costa Criminal Grand Jury returned an indictment of the accused in four counts: violation of California "Penal Code § 550(a)(1) [Insurance Fraud - False Claim];" violation of "Penal Code §§ 550(b)(3) [Insurance Fraud - Concealing Event Affecting Insurance Entitlement];" violation of California "Penal Code § 118 [Perjury under Oath];" and violation of California "Penal Code § 148.5(a) [False Report of Criminal Offense];"

(4) On November 23, 1998, Chief of Police Fred H. Lau filed charges with the Police Commission in matter C98-258 JWA alleging the accused committed acts of misconduct that paralleled the Grand Jury indictment and brought discredit on the department and subverted the good order, efficiency, and discipline of the department. In that connection, the accused was placed on interim suspension and was then granted personal leave pending resolution of the criminal charges pending against him in the Contra Costa County Superior Court;

(5) On March 19, 1999, Chief of Police Fred H. Lau filed charges with the Police Commission in matter C99-099 JWA alleging that on March 18, 1999, the accused refused to report to the Management Control Division to be interviewed regarding acts of misconduct and would not report to be interviewed;

(6) After a jury trial in the Superior Court for Contra Costa County, on June 15, 1999, and after deliberation, the jury returned guilty verdicts against the accused for violation of: (a) Penal Code § 550(a)(1) insurance fraud, false claim, a felony; (b) Penal Code § 550(b)(3) insurance fraud, concealing event affecting insurance entitlement, a felony or misdemeanor; and (c) Penal Code § 148.5(a) false report of a criminal offense, a misdemeanor;

(7) On January 7, 2000, the court sentenced the accused to three years in state prison for the violation of Penal Code §§ 559(a)(1), 550(b)(3) and 148.5. The court stayed the prison sentence and imposed three years of felony probation in the terms set forth in the "Order for Formal Felony Probation;"

(8) The accused, by being convicted of one felony and one offense punishable as a felony under California law, as described above, is disqualified from holding office or being employed as a peace officer by the State of California or any of its subdivisions, including the City and County of San Francisco, pursuant to California Government Code § 1029(a)(1), which states:

"1029. Disqualification for office or employment as peace officer

a. Except as provided in subdivision (b), (c), or (d), each of the following persons is disqualified from holding office as a peace officer or being employed as a peace officer of the state, county, city, city and county, or other political subdivision, whether with or without compensation, and is disqualified from any office or employment by the state, county, city, city and county, or other political subdivision, whether with or without compensation, which confers upon the holder or employee the powers and duties of a peace officer."

a. Any person who has been convicted of a felony in this state or any other state."

WHEREAS, a hearing on said charges was held before the Police Commission pursuant to Section 8.343 of the Charter of the City and County of San Francisco on Wednesday, March 8, 2000, ***the Commission took official notice of certified court records from Contra Costa Superior Court, Criminal Court Number 981849-3*** when the matter was submitted to the Police Commission for decision; and

WHEREAS, based on Sergeant Hartmann's disqualification by Government Code § 1029(a)(1), the Commission finds that the allegations contained in ***Specification No. 1, File No. C99-219 JWA, as preferred by Chief of Police Fred H. Lau against Sergeant Robert G. Hartmann, are sustained; Specification No. 1, File Nos. C98-258 JWA & C99-099 JWA, are taken off calendar;*** and, the Commission adopts the sustained charges as its findings in this matter; therefore be it

RESOLVED, that based on these findings, consistent with the Commission's duty to protect the health, safety, and general welfare of the citizens of the City and County of San Francisco and the public in general, and in order to promote efficiency and discipline in the San Francisco Police Department, the Police Commission orders the following discipline be imposed:

AMENDED

SPECIFICATION NO. 1 (File No. C99-219 JWA)

Sustained - Termination

SPECIFICATION NO. 1 (File Nos. C98-258 JWA, C99-099 JWA)

Off-calendar

RESOLVED, that said termination, effective immediately, be, and the same is hereby affirmed and approved.

AYES: Commissioners Herrera, Perry, Friday, Quaranta
ABSENT: Commissioner Chan

RESOLUTION NO. 19-00

APPROVAL OF TRANSFER OF PATROL SPECIAL BEAT #6 FROM ROBERT J. HART TO SCOTT M. HART, AND THE APPOINTMENT OF SCOTT M. HART AS PATROL SPECIAL OFFICER

RESOLVED, that the Commission hereby approves transfer of Patrol Special Beat #6 from Robert J. Hart to Scott M. Hart; and

FURTHER RESOLVED, that the Commission hereby appoints Scott M. Hart as Patrol Special Officer.

AYES: Commissioners Herrera, Perry, Friday, Quaranta
ABSENT: Commissioner Chan

RESOLUTION NO. 20-00

APPROVAL OF TRANSFER OF PATROL SPECIAL BEAT #28 FROM ROBERT J. HART TO TODD W. HART, AND THE APPOINTMENT OF TODD W. HART AS PATROL SPECIAL OFFICER

RESOLVED, that the Commission hereby approves transfer of Patrol Special Beat #28 from Robert J. Hart to Todd W. Hart; and

FURTHER RESOLVED, that the Commission hereby appoints Todd W. Hart as Patrol Special Officer.

AYES: Commissioners Herrera, Perry, Friday, Quaranta
ABSENT: Commissioner Chan

HEARING OF OFFICER NATALIE KOMARCHUK, SUPPORT SERVICES
(FILE NO. C99-054 JWA)

The hearing of Police Officer Natalie Komarchuk, Star No. 118, was called it having been set for this date. Officer Komarchuk was charged, in a properly verified complaint by Chief of Police Fred H. Lau of the San Francisco Police Department, with violating the Rules and Procedures as follows:

SPECIFICATION NO. 1

Illegal possession or use of controlled substances (violation of Rule I-C-1 of Department General Order 2.03 of the San Francisco Police Department);

SPECIFICATION NO. 2

Use of prescribed drugs which impaired her in the performance of her duties (violation of Rules I-D-1, I-D-2, and I-D-3 of Department General Order 2.03 of the San Francisco Police Department).

Officer Natalie Komarchuk appeared in person and was represented by Ms. Kathy Mahoney, POA.

Mr. Jerry W. Akins, Attorney at Law, appeared on behalf of the San Francisco Police Department.

The Department entered a motion to amend charges filed against Officer Komarchuk. The Commission approved motion to amend charges.

Officer Komarchuk admitted to the specification contained in Specification No. 1 of amended charges contained in File No. C99-054 JWA. Officer Komarchuk personally affirmed the admission in these matters and accepts responsibility for her acts.

Based on Officer Komarchuk's admission, the Commission requested a recommendation from Chief of Police Fred H. Lau. It is the recommendation of the Chief of Police that Officer Natalie Komarchuk be suspended for ninety (90) days, with credit for the time she was suspended for forty-seven (47) days, and forty-three (43) days to be held in abeyance for three (3) years on the following conditions: that she not engage in any serious acts of misconduct; that she continue participation in Department General Order 11.11 monitoring program with the Commanding Officer of the Staff Services Division; and, that she agree to continued unannounced drug testing for the three (3) years.

The Commission took the matter under submission and the following resolution was adopted:

RESOLUTION NO. 21-00

DECISION - HEARING OF OFFICER NATALIE KOMARCHUK, SUPPORT SERVICES (FILE NO. C99-054 JWA)

WHEREAS, on March 1, 2000, Fred H. Lau, Chief of Police of the San

Francisco Police Department, made and served amended charges against Officer Natalie Komarchuk, as follows:

AMENDED CHARGES:

SPECIFICATION NO. 1

Use of prescribed drugs which impaired her in the performance of her duties (violation of Rules 1-D-1, 1-D-2, and 1-D-3 of Department General Order 2.03 of the San Francisco Police Department).

(1) At all times herein mentioned, Natalie Komarchuk, Star Number 118, (hereinafter referred to as "the accused") was and is a police officer employed by the San Francisco Police Department and assigned to the Taraval District;

(2) As a police officer, the accused was and is responsible for knowing and obeying the rules, orders, and procedures of the San Francisco Police Department;

(3) On February 24, 1999, the accused was on duty in uniform assigned to Taraval Station located at 2345 24th Avenue, San Francisco, California. Because of a staff shortage at Ingleside Station, the accused was detailed to Ingleside Station at 0830 hours on February 24, 1999. The accused was late reporting to Ingleside Station, she was unsteady on her feet, and her speech was slurred. The Commanding Officer of Ingleside Station contacted the Platoon Commander at Taraval Station. The accused's supervisor from Taraval Station went to Ingleside Station and observed the accused picking flowers off the ornamental vines in front of the station, she was unsteady on her feet, her speech was slurred, and her eyes appeared watery and glazed, symptoms of being under the influence of some substance. The accused did not have the odor of alcohol on her breath. The supervisor brought the accused back to Taraval Station. The Management Control Division was notified of her condition and an investigation was started;

(5) Investigators from the Management Control Division went to Taraval Station on February 24, 1999, at approximately 1115 hours, on the order of the Chief of Police, to collect a urine sample from the accused to be tested for substances of abuse. The accused provided a urine sample to an investigator from the Management Control Division, and on February 24, 1999, the sample was transported for testing to the Chemical Toxicology Institute laboratory in Foster City, California;

(6) On March 4, 1999, the Chemical Toxicology Institute made a report and delivered the results of the tests to the Management Control Division. The urine sample collected from the accused on February 24, 1999, tested positive for Codeine and Morphine, both opiates listed as Schedule II Controlled Substance in California health and Safety Code section 11055. The laboratory reported that the urine sample from the accused contained 59 milligrams per liter [59,000 nanograms per milliliter (ng-mL)] of Codeine as measured by Gas Chromatography-Mass Spectrometer (GC-MS) and 16 milligrams per Liter [1600 nanograms per milliliter (ng-mL)] of Morphine as measured by GC-MS;

(7) Department General Order 2.03 sets the cutoff value for a finding that a member has used opiates at 300 ng-mL of opiate at 300 ng-mL of opiate when measured by GC-MS;

(8) During the course of the Management Control Division collection of the urine sample from the accused on February 24, 1999, the accused was not interrogated, however, she volunteered the statement to her supervisor that

she was taking a medication for migraine headache, presumably as an explanation of her symptoms. The accused did not notify her supervisors that she was taking medications which might impair her ability to perform her police duties before February 24, 1999. She only volunteered this statement while waiting to be tested for drugs of abuse;

(11) The accused, by using prescribed medications which impaired the performance of her duties as a police officer without notifying her supervisor that such drugs had been prescribed and by not notifying her supervisor that she was impaired when she reported for duty, violated Rules I-D-2 and I-D-3 of Department General Order 2.03 of the San Francisco Police Department, which state:

"D. PRESCRIPTION/NON-PRESCRIPTION DRUGS

b. IMPAIRMENT. When drugs are prescribed, members are required to ask the prescribing physician or other authorized health practitioner whether the drug will impair them in the performance of their duties. If the prescribing practitioner indicates that the drug may impair performance of duties, the member shall inform his/her supervisor immediately upon reporting for duty.

c. NOTIFYING SUPERVISOR. Any member using legal over-the-counter non-prescription drugs or prescription drugs, who feels in any way impaired, shall advised his/her supervisor of such impairment."

WHEREAS, a hearing on said charges was held before the Police Commission pursuant to Appendix A, Section A 8.343 of the Charter of the City and County of San Francisco on March 8, 2000 where the matter was submitted to the Police Commission for decision; and

WHEREAS, based on Officer Natalie Komarchuk's admission, the Commission finds the allegations contained in Specification No. 1 of the amended charges as preferred by Chief of Police Fred H. Lau against Officer Komarchuk are sustained; and the Commission adopts the sustained specification as its findings in this matter; therefore be it

RESOLVED, that based on these findings, consistent with the Commission's duty to protect the health, safety, and general welfare of the citizens of the City and County of San Francisco and the public in general, and in order to promote efficiency and discipline in the San Francisco Police Department, the Police Commission orders the following discipline be imposed:

SPECIFICATION NO. 1

Sustained

That Officer Natalie Komarchuk be suspended for ninety (90) days, with credit for the time she was suspended for forty-seven (47) days, and forty-three (43) days to be held in abeyance for three (3) years on the following conditions: that she not engage in any serious acts of misconduct; that she continue participation in Department General Order 11.11 monitoring program with the Commanding Officer of the Staff Services Division; and, that she agree to continued unannounced drug testing for the three (3) years.

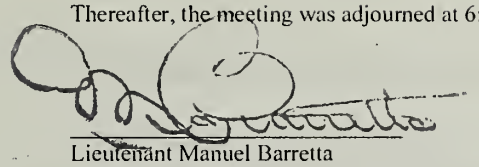
If this decision is subject to review under Code of Civil Procedure section 1094.5, then the time and within which judicial review must be sought is governed by California Code of Civil Procedure, section 1094.6.

AYES: Commissioners Herrera, Perry, Friday, Quaranta
ABSENT: Commissioner Chan

PUBLIC COMMENTS

None

Thereafter, the meeting was adjourned at 6:33 p.m.



Lieutenant Manuel Barretta
Secretary
THE POLICE COMMISSION

1137/rc

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The Police Commission

CITY AND COUNTY OF SAN FRANCISCO

DENNIS HERRERA
President

SIDNEY CHAN
Vice President

PAT NORMAN
Commissioner

CONNIE PERRY
Commissioner

WAYNE FRIDAY
Commissioner

LT MANUEL BARRETTA
Secretary

SAN FRANCISCO POLICE COMMISSION AGENDA

REGULAR MEETING
WEDNESDAY, MARCH 15, 2000
5:30 p.m.

Thomas J. Cahill Hall of Justice
850 Bryant Street, Room 551
San Francisco, California

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Fax Posted 3/10/00

1. Pledge of Allegiance

2. Roll Call

3. Approval of Consent Calendar

4. Assignment of Commissioner and Setting of Date for Taking of Evidence on Disciplinary Charges filed against Officer Peter W. Schlegle, Muni (File No. C99-179 JWA)

5. Police Commission Announcements
   a. Motion of Calendaring of New Items

6. Chief's Announcements and Review of Recent Department Events

7. OCC Director's Report re: Staffing and Budget and Summary of Recent Events

8. Discussion and Action re: Request of the Chief of Police for Authorization to Negotiate and Execute Law Enforcement Training Agreements Sponsored and Administered by the California Highway Patrol

9. Discussion and Action re: Request of the Chief of Police to Withdraw Disciplinary Charges filed against Officer Steven Lee (File No. C97-182 DC)

10. Public Comments
(Members of the public may address the Commission on items that are within the subject matter jurisdiction of the Police Commission that do not appear on the agenda.)

The Police Commission

CITY AND COUNTY OF SAN FRANCISCO

DENNIS HERRERA
President

SIDNEY CHAN
Vice President

PAT NORMAN
Commissioner

CONNIE PERRY
Commissioner

WAYNE FRIDAY
Commissioner

LT. MANUEL BARRETTA
Secretary

SAN FRANCISCO POLICE COMMISSION AGENDA

REGULAR MEETING
WEDNESDAY, MARCH 15, 2000
5:30 p.m.

Thomas J. Cahill Hall of Justice
850 Bryant Street, Room 551
San Francisco, California

CONSENT CALENDAR

1. Request of the Chief of Police for Approval to Accept Donation of a Digital Camera and Color Printer from Goodby, Silverstein and Partners for use of the SFPD Bayview Station

There will be Public Comments on any item before or during discussion of each item.

KNOW YOUR RIGHTS UNDER THE SUNSHINE ORDINANCE
(Chapter 67 of the San Francisco Administrative Code)

Government's duty is to serve the public, reaching its decisions in full view of the public. Commissions, boards, councils, and other agencies of the City and County exist to conduct the people's business. This ordinance assures that deliberations are conducted before the people and that City operations are open to the people's review.

FOR MORE INFORMATION ON YOUR RIGHTS UNDER THE SUNSHINE ORDINANCE OR TO REPORT VIOLATION OF THE ORDINANCE, CONTACT THE SUNSHINE ORDINANCE TASK FORCE: RACHEL ARNSTINE O'HARA, CLERK, CITY HALL, ROOM 362, 1 DR. CARLTON B. GOODLETT PLACE, SAN FRANCISCO, CA 94102-4683, OFFICE 415-554-6171, (FAX) 415-554-6177, (E-MAIL) Rachel ArnstineO'Hara@ci.sf.c.us COPIES OF THE SUNSHINE ORDINANCE CAN BE OBTAINED FROM THE CLERK OF THE SUNSHINE TASK FORCE, THE SAN FRANCISCO PUBLIC LIBRARY, AND ON THE CITY'S WEBSITE AT www.ci.sf.ca.us

PUBLIC MEETING/HEARING
ACCESSIBILITY INFORMATION

American sign language interpreters will be available upon request. Please contact Sgt. Michael Sullivan, at 553 1343, at least 72 hours prior to a proceeding. Late requests will be honored if possible.

A sound enhancement system will be available upon request at the proceeding. Please contact Sgt. Michael Sullivan, at 553 1343 at least 72 hours prior to a proceeding.
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The proceeding will be held at 850 Bryant St. Room 551. The closest accessible BART station is at 5th and Market St. Accessible MUNI lines serving this location are 42 and 9X San Bruno Express.

For information about MUNI service call 923 6142.

Accessible parking is available in the pay parking lot at the rear of the Hall of Justice, enter on 7th St. south of Harrison St.

Accessible seating for persons with disabilities and wheelchairs will be available.

- For information about the meeting call 553 1667 Voice, or 553 9194 TDD.

San Francisco Police Department

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MARCH 15, 2000 **REGULAR MEETING**

The Police Commission of the City and County of San Francisco met in their chambers, Room 551, Thomas J. Cahill Hall of Justice, 850 Bryant Street, San Francisco, at 5:30 p.m., in a Regular Meeting.

PRESENT: Commissioners Herrera, Chan, Perry, Friday, Quaranta

APPROVAL OF CONSENT CALENDAR

RESOLUTION NO. 22-00

APPROVAL OF REQUEST OF THE CHIEF OF POLICE TO ACCEPT DONATION OF A DIGITAL CAMERA AND COLOR PRINTER FROM GOODBY, SILVERSTEIN AND PARTNERS FOR USE OF THE SFPD BAYVIEW STATION

RESOLVED, that the Police Commission hereby approves request of the Chief of Police to accept donation of a digital camera and color printer, valued at $699.94, from Goodby, Silverstein and Partners for use of the SFPD Bayview Station.

AYES: Commissioners Herrera, Chan, Perry, Friday, Quaranta

RESOLUTION NO. 23-00

ASSIGNMENT OF COMMISSIONER AND SETTING OF DATE FOR TAKING OF EVIDENCE ON DISCIPLINARY CHARGES FILED AGAINST OFFICER PETER W. SCHLEGLE, MUNI (FILE NO. C99-179 JWA)

WHEREAS, the assignment of a Commissioner and setting of a date to conduct taking of evidence in disciplinary charges filed against Officer Peter W. Schlegle, Star No. 749, Muni, was called it having been set for this date; and

WHEREAS, Commissioner Angelo Quaranta is hereby assigned to conduct taking of evidence in the disciplinary charges filed against Officer Peter W. Schlegle; therefore be it

RESOLVED, that Commissioner Angelo Quaranta is hereby assigned to conduct taking of evidence in the disciplinary charges filed against Officer Peter W. Schlegle, and is to be set at a later date.

AYES: Commissioners Herrera, Chan, Perry, Friday, Quaranta

POLICE COMMISSION ANNOUNCEMENTS

a. Motion of Calendaring of New Items

Commissioner Perry will be on vacation the week of April 14th.
Commissioner Quaranta will be on vacation from April 8th to April 21st.
Commissioner Herrera asked that racial profiling be scheduled for March 28th and that cyber crimes be scheduled at a later date.

CHIEF'S ANNOUNCEMENTS AND REVIEW OF RECENT DEPARTMENT EVENTS

Chief Lau announced the death of Officer Pat Yick and requested that the meeting be adjourned in his memory.

OCC DIRECTOR'S REPORT RE: STAFFING AND BUDGET AND SUMMARY OF RECENT EVENTS

Director Dunlap discussed database problems are delaying the annual report. Report should be presented middle to late April.

Commissioner Friday inquired regarding Sr. Investigator vacancy.

RESOLUTION NO. 24-00

APPROVAL TO AUTHORIZE THE CHIEF OF POLICE TO NEGOTIATE AND EXECUTE LAW ENFORCEMENT TRAINING AGREEMENTS SPONSORED AND ADMINISTERED BY THE CALIFORNIA HIGHWAY PATROL

WHEREAS, the State of California, Department of California Highway Patrol, requires written training agreements that include a hold harmless clause from any agency participating in their training program;

WHEREAS, the Highway Patrol requires the contracting municipality's legislative body to approve the agreement; and

WHEREAS, the Police Department of the City and County of San Francisco desires from time to time to participate in certain training programs sponsored and administered by the Department of California Highway Patrol; therefore, be it

RESOLVED, that the Police Commission hereby authorizes the Chief of Police to negotiate and execute law enforcement training agreements sponsored and administered by the California Highway Patrol.

AYES: Commissioners Herrera, Chan, Perry, Friday, Quaranta

RESOLUTION NO. 25-00

WITHDRAWAL OF DISCIPLINARY CHARGES FILED AGAINST OFFICER STEVEN LEE, TENDERLOIN TASK FORCE (FILE NO. C97-182 DC)

WHEREAS, Chief of Police Fred H. Lau requests that the disciplinary charges filed against Officer Steven Lee, Star No. 1057, Tenderloin Task Force, be withdrawn and that it will be handled administratively; therefore be it

RESOLVED, that the disciplinary charges filed against Officer Steven Lee be withdrawn and taken off calendar.

AYES: Commissioners Herrera, Chan, Perry, Friday, Quaranta

PUBLIC COMMENTS

None.

Thereafter, the meeting was adjourned in memory of Officer Pat Yick, at 5:45 p.m.

Lieutenant Manuel Barretta
Secretary
THE POLICE COMMISSION

1137/rc

S.F.P.D.
PARK STATION'S
ANNUAL
POLICE COMMISSION
MEETING
WEDNESDAY MARCH 22ND
AT
6:00PM

PARK BRANCH LIBRARY'S
MEETING ROOM
1833 PAGE STREET

Captain James Dudley Commanding Officer of Park Station, will address the Police Commission regarding the status of this district.

Come and meet the Police Commission and Police Chief Fred Lau. The public will be able to address them regarding their concerns.

The building is ADA approved.

Fax 3/17/00
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The Police Commission

CITY AND COUNTY OF SAN FRANCISCO

DENNIS HERRERA
President

SIDNEY CHAN
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PAT NORMAN
Commissioner

CONNIE PERRY
Commissioner

WAYNE FRIDAY
Commissioner

LT. MANUEL BARRETTA
Secretary

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SAN FRANCISCO POLICE COMMISSION AGENDA
REGULAR MEETING
WEDNESDAY, MARCH 22, 2000
6:00 p.m.

PARK DISTRICT
PARK BRANCH LIBRARY
MEETING ROOM
1833 Page Street
San Francisco

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1. Pledge of Allegiance
2. Roll Call
3. Police Commission Announcements
   a. Motion of Calendaring of New Items
4. Chief's Announcements and Review of Recent Department Events
5. OCC Director's Report re: Staffing, Budget and Summary of Recent Events
6. Discussion and Action re: The Sale of 2300 Third Street Property, the Old Potrero Police Station
7. Captain James Dudley, Commanding Officer of Park Station, to address the Commission on Police Activities in the Park District
8. Public Comments
   (Members of the public may address the Commission for up to 3 minutes for individuals or up to 5 minutes for groups. The President of the Commission may limit the total testimony time.)

**There will be Public Comments on any item before or during discussion of each item.*

KNOW YOUR RIGHTS UNDER THE SUNSHINE ORDINANCE
(Chapter 67 of the San Francisco Administrative Code)

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PUBLIC MEETING/HEARING
ACCESSIBILITY INFORMATION

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The proceeding will be held at Park Branch Library 1833 Page Street, San Francisco.
The closest accessible BART n/a.
Accessible MUNI lines serving this location are Line 66 and 71, Line 43.
Non-Accessible Lines 6 and 7

For information about MUNI service call 923 6142.

Accessible parking is available at the following location: _____

Accessible seating for persons with disabilities and wheelchairs will be availat

For information about the meeting call 553-1667 Voice, or 553 9194 TDD.
San Francisco Police Department

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MARCH 22, 2000 **REGULAR MEETING**

The Police Commission of the City and County of San Francisco met in the Park District, Park Branch Library, 1833 Page Street, San Francisco, at 6:00 p.m., in a Regular Meeting.

PRESENT: Commissioners Herrera, Chan, Perry, Friday, Quarant

POLICE COMMISSION ANNOUNCEMENTS

a. Motion of Calendaring of New Items

Commissioner Herrera welcomed the audience and the Commissioners introduced themselves.

CHIEF'S ANNOUNCEMENTS AND REVIEW OF RECENT DEPARTMENT EVENTS

Assistant Chief Sanders, for Chief Lau, introduced Command Staff.

OCC DIRECTOR'S REPORT RE: STAFFING, BUDGET, AND SUMMARY OF RECENT EVENTS

Director Mary Dunlap describe duties and responsibilities of the Office of Citizen Complaints.

RESOLUTION NO. 26-00

APPROVAL OF THE SALE OF 2300 THIRD STREET PROPERTY, THE OLD POTRERO POLICE STATION

RESOLVED, that the Police Commission hereby authorizes the Chief of Police to sell the 2300 Third Street property, the old Potrero Police Station.

AYES: Commissioners Herrera, Chan, Perry, Friday, Quaranta

CAPTAIN JAMES DUDLEY, COMMANDING OFFICER OF PARK STATION, TO ADDRESS THE COMMISSION ON POLICE ACTIVITIES IN THE PARK DISTRICT

Captain Dudley discussed activities in Park District and crime statistics.
Commissioner Perry inquired regarding homeless issues.

PUBLIC COMMENTS

Dave Heller commended Captain Dudley.

Joe Conopca thanked Captain Dudley and requested for more night patrols.

Arthur Evans thanks Captain Dudley and discussed concerns regarding harassment in the area and requested for more foot patrol on Haight.

Wayne Justman, SF Patients Resource Center, commended Captain Dudley and Sgt. Mark Porto.

James Beck, Haight Ashbury Neighborhood Council, discussed concerns regarding drugs.

Kurt Nelson, resident, discussed concerns regarding drugs.

Ed Murray, resident, discussed concerns regarding unregistered autos and stolen shopping carts.

Ben Lagge discussed concerns regarding homeless.

Detre Murray discussed concerns regarding needle exchange program.

Karen Cromie discussed concerns regarding indigent youth and requested more beat officers.

Laurie Elder, Cole Valley Free Press, discussed concerns regarding

homeless.

Reverend Randy Webster, Reference Center, discussed concerns.

Thereafter, the meeting was adjourned at 7:10 p.m.

_____

Lieutenant Manuel Barretta
Secretary
THE POLICE COMMISSION

1137/rc

The Police Commission

CITY AND COUNTY OF SAN FRANCISCO

DENNIS HERRERA
President

SIDNEY CHAN
Vice President

PAT NORMAN
Commissioner

CONNIE PERRY
Commissioner

WAYNE FRIDAY
Commissioner

LT. MANUEL BARRETTA
Secretary

SAN FRANCISCO POLICE COMMISSION AGENDA

REGULAR MEETING
WEDNESDAY, MARCH 29, 2000
5:30 p.m.

Thomas J. Cahill Hall of Justice
850 Bryant Street, Room 551
San Francisco, California

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MAR 27 2000

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PUBLIC LIBRARY
Fax 3/24/00

1. Pledge of Allegiance

2. Roll Call

3. Police Commission Announcements
   a. Motion of Calendaring of New Items

4. Chief's Announcements and Review of Recent Department Events

5. OCC Director's Report re: Staffing and Budget and Summary of Recent Events

6. Status Report re: "Roll Call" Training

7. Public Comments
   (Members of the public may address the Commission on items that are within the subject matter jurisdiction of the Police Commission that do not appear on the agenda.)

*There will be Public Comments on any item before or during discussion of each item.

KNOW YOUR RIGHTS UNDER THE SUNSHINE ORDINANCE
(Chapter 67 of the San Francisco Administrative Code)

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PUBLIC MEETING/HEARING
ACCESSIBILITY INFORMATION

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The proceeding will be held at 850 Bryant St. Room 551. The closest accessible BART station is at 5th and Market St. Accessible MUNI lines serving this location are 42 and 9X San Bruno Express.

For information about MUNI service call 923 6142.

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- For information about the meeting call 553 1667 Voice, or 553 9194 TDD.

San Francisco Police Department

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MARCH 29, 2000 **REGULAR MEETING**

The Police Commission of the City and County of San Francisco met in their chambers, Room 551, Thomas J. Cahill Hall of Justice, 850 Bryant Street, San Francisco, at 5:30 p.m., in a Regular Meeting.

PRESENT: Commissioners Herrera, Chan, Perry, Friday, Quaranta

POLICE COMMISSION ANNOUNCEMENTS

a. Motion of Calendaring of New Items

Commissioner Herrera discussed racial profiling and expressed disappointment as to no data collection as of yet. He stated he looks forward to report in two weeks.

Commissioner Perry expressed disappointment in delay and looks forward to the report.

Assistant Chief Sanders stated the Department will comply.

CHIEF'S ANNOUNCEMENT AND REVIEW OF RECENT DEPARTMENT EVENTS

Assistant Chief Sanders, for Chief Lau, stated the department has stepped up recruitment efforts for Q2's.

Commissioner Perry asked regarding Cadet Program and status of same.

OCC DIRECTOR'S REPORT RE: STAFFING AND BUDGET AND SUMMARY OF RECENT EVENTS

Director Mary Dunlap stated the OCC is working on computer update and will work with the department regarding racial profiling.

STATUS REPORT RE: "ROLL CALL" TRAINING

Captain Dan Lawson, Training Division, presented Roll Call Training update.

PUBLIC COMMENTS

Unidentified, Third Eye Movement, sang a song.

Jay Imani, Police Watch, discussed concerns regarding Officer Breslin.

Van Jones discussed concerns regarding Sheila Detoy.

John Kinady, Jr., cousin of Ms. Detoy, requested that promotion of Officer Breslin be reversed and asked for a public hearing.

Friend of Sheila Detoy discussed concerns regarding actions of Officer Breslin.

Ursula discussed concerns regarding Officer Breslin's promotion.

Mr. White, high school student, read a poem.

Tony Coleman, Third Eye Movement, discussed concerns regarding Breslin's promotion.

Joe Hershman discussed concerns regarding Officer Breslin's promotion and racial profiling.

Andy Meyer discussed concerns regarding actions of Officer Breslin.

Manicia Banks discussed actions of police.

Malcolm Ferguson discussed concerns regarding actions of police.

June Berg discussed concerns regarding Officer Breslin's promotion.

Ng Sun, Third Eye Movement, discussed concerns.

Todd James, Coleman Advocates for Youth, discussed concerns regarding Officer Breslin.

Annie read statement regarding Officer Breslin.

Vinnie discussed concerns regarding actions of police.

Shauna Verago, CUAV, discussed police union not signing human rights

declaration and discussed actions of Officer Breslin.

Frank Davidson discussed concerns.

Tiger discussed concerns regarding actions of police.

Claire Heinz discussed concerns regarding actions of police.

Mario Goldstein, teach, discussed actions of police.

Track, October 22nd Coalition, discussion actions of police.

Joshua Kaufman discussed actions of police.

Rubin Feldman discussed actions of police.

Larry Latimor discussed actions of police.

Samantha discussed actions of police.

Julie discussed actions of police.

Mulea discussed actions of police.

Justin discussed actions of police.

Unidentified discussed actions of police.

Nora Caldum discussed actions of police.

Anna discussed actions of police.

Juanita discussed actions of police.

Diana, Ella Baker Center, discussed concerns regarding Officer Breslin and department actions.

Thereafter, the meeting was adjourned at 7:05 p.m.

Lieutenant Manuel Barretta
Secretary
THE POLICE COMMISSION

1137/rc

The Police Commission

CITY AND COUNTY OF SAN FRANCISCO

SAN FRANCISCO POLICE COMMISSION AGENDA

DENNIS HERRERA
President

SIDNEY CHAN
Vice President

PAT NORMAN
Commissioner

CONNIE PERRY
Commissioner

WAYNE FRIDAY
Commissioner

LT. MANUEL BARRETTA
Secretary

REGULAR MEETING
WEDNESDAY, APRIL 5, 2000
5:30 p.m.

Thomas J. Cahill Hall of Justice
850 Bryant Street, Room 551
San Francisco, California

Fax 3/31/00
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1. Pledge of Allegiance

2. Roll Call

3. Assignment of Commissioner and Setting of Date for Taking of Evidence on Disciplinary Charges filed against Officer Nikolaus Borthne, Star No. 2089, Central (File No. OCC 212-99)

4. Police Commission Announcements
   a. Motion of Calendaring of New Items

5. Chief's Announcements and Review of Recent Department Events

6. OCC Director's Report re: Staffing and Budget and Summary of Recent Events

7. Discussion and Action re: Records Retention/Destruction Policy & Schedule for the Office of Citizen Complaints

8. Public Comments
   (Members of the public may address the Commission on items that are within the subject matter jurisdiction of the Police Commission that do not appear on the agenda.)

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PUBLIC MEETING/HEARING
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APRIL 5, 2000 REGULAR MEETING

The Police Commission of the City and County of San Francisco met in their chambers, Room 551, Thomas J. Cahill Hall of Justice, 850 Bryant Street, San Francisco, at 5:35 p.m., in a Regular Meeting.

PRESENT: Commissioners Chan, Perry, Friday, Quaranta
ABSENT: Commissioner Herrera

RESOLUTION NO. 27-00

ASSIGNMENT OF COMMISSIONER AND SETTING OF DATE FOR TAKING OF EVIDENCE ON DISCIPLINARY CHARGES FILED AGAINST OFFICER NIKOLAUS BORTHNE, STAR NO. 2089, CENTRAL (FILE NO. OCC 212-99)

WHEREAS, the assignment of a Commissioner and setting of a date to conduct taking of evidence in disciplinary charges filed against Officer Nikolaus Borthne, Star No. 2089, Central, was called it having been set for this date; and

WHEREAS, Commissioner Connie Perry is hereby assigned to conduct taking of evidence in the disciplinary charges filed against Officer Nikolaus Borthne; therefore be it

RESOLVED, that Commissioner Connie Perry is hereby assigned to conduct taking of evidence in the disciplinary charges filed against Officer Nikolaus Borthne, and is to be set at a later date.

AYES: Commissioners Chan, Perry, Friday, Quaranta
ABSENT: Commissioner Herrera

POLICE COMMISSION ANNOUNCEMENTS

a. **Motion of Calendaring of New Items**

Commissioner Perry will be out of town on April 19th.
Commissioner Quaranta will be out of town on April 19th.
Meeting will be in the Richmond District for the 19th.

CHIEF'S ANNOUNCEMENTS AND REVIEW OF RECENT DEPARTMENT EVENTS

Assistant Chief Sanders announced that Chief Lau's wife have given birth to twin boys.

Deputy Chief Welch introduced Ken O'Brien, P.O.S.T. Director of the State of California. Mr. O'Brien presented the Department with a resolution regarding FTO Training. Assistant Chief Sanders accepted on behalf of the Department.

Commissioner Chan commended the Department.

OCC DIRECTOR'S REPORT RE: STAFFING AND BUDGET AND SUMMARY OF RECENT EVENTS

Director Mary Dunlap announced that James Rodriguez will be leaving on the 12th of April to work for the Alameda County Public Defenders Office. She stated that OCC has a vacancy for a staff attorney position.

Director Dunlap presented Records Retention/Destruction Policy.

She also discussed salary of attorneys for the OCC.

RESOLUTION NO. 28-00

APPROVAL OF RECORDS RETENTION/DESTRUCTION POLICY &

SCHEDULE FOR THE OFFICE OF CITIZEN COMPLAINTS

RESOLVED, that the Police Commission hereby approves Records Retention/Destruction Policy & Schedule for the Office of Citizen Complaints.

AYES: Commissioners Chan, Perry, Friday, Quaranta
ABSENT: Commissioner Herrera

PUBLIC COMMENTS

None.

Thereafter, the meeting was adjourned in name of the Chief's twin boys at 6:00 p.m.

Lieutenant Manuel Barreda
Secretary
THE POLICE COMMISSION

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The Police Commission

CITY AND COUNTY OF SAN FRANCISCO

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President

SIDNEY CHAN
Vice President

CONNIE PERRY
Commissioner

WAYNE FRIDAY
Commissioner

ANGELO QUARANTA
Commissioner

LT. MANUEL BARRETTA
Secretary

SAN FRANCISCO POLICE COMMISSION AGENDA

REGULAR MEETING
WEDNESDAY, APRIL 12, 2000
5:30 p.m.

Thomas J. Cahill Hall of Justice
850 Bryant Street, Room 551
San Francisco, California

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1. Pledge of Allegiance
2. Roll Call
3. Police Commission Announcements
   a. Motion of Calendaring of New Items
4. Chief's Announcements and Review of Recent Department Events
5. OCC Director's Report re: Staffing and Budget and Summary of Recent Events
6. Status Report re: Racial Profiling
7. Public Comments
   (Members of the public may address the Commission on items that are within the subject matter jurisdiction of the Police Commission that do not appear on the agenda.)

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APRIL 12, 2000 **REGULAR MEETING**

The Police Commission of the City and County of San Francisco met in their chambers, Room 551, Thomas J. Cahill Hall of Justice, 850 Bryant Street, San Francisco, at 5:35 p.m., in a Regular Meeting.

PRESENT: Commissioners Herrera, Chan, Perry, Friday
ABSENT: Commissioner Quaranta

POLICE COMMISSION ANNOUNCEMENTS

a. Motion of Calendaring of New Items

Next week's meeting will be in the Richmond District.

CHIEF'S ANNOUNCEMENT AND REVIEW OF RECENT DEPARTMENT EVENTS

Assistant Chief Sanders, for Chief Lau, announced the appointment of Captain Sue Manheimer as Chief of Police of San Mateo P.D. Chief Sanders discussed Cadet Program and undated the Commission regarding lieutenant's exam.

Commission congratulates Captain Manheimer.

OCC DIRECTOR'S REPORT RE: STAFFING AND BUDGET AND SUMMARY OF RECENT EVENTS

Director Mary Dunlap congratulates Captain Manheimer and discussed James Rodriguez leaving the OCC.

STATUS REPORT RE: RACIAL PROFILING

Captain Tim Hettrich, Planning, presented update and overview of statistics gathering.

River Ginchild Abeje, OCC, discussed concerns regarding policy.

Commissioner Herrera discussed time line problem and money concerns and suggested a system be designed now and move forward and that the department meet with organizations, POA & OCC, etc., for additional data to be collected if necessary.

PUBLIC COMMENTS

Michelle Alexander, ACLU, discussed concerns regarding delay in implementation of date collecting and asked the Commission to write a letter to the Governor supporting legislation.

Mary Giorgi discussed concerns regarding racial profiling and recent traffic citation.

Thereafter, the meeting was adjourned at 6:30 p.m.

Lieutenant Manuel Barretta
Secretary
THE POLICE COMMISSION

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APRIL 12, 2000 **REGULAR MEETING**

The Police Commission of the City and County of San Francisco met in their chambers, Room 551, Thomas J. Cahill Hall of Justice, 850 Bryant Street, San Francisco, at 5:35 p.m., in a Regular Meeting.

PRESENT: Commissioners Herrera, Chan, Perry, Friday
ABSENT: Commissioner Quaranta

POLICE COMMISSION ANNOUNCEMENTS

a. **Motion of Calendaring of New Items**

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Lieutenant Manuel Barretta
Secretary
THE POLICE COMMISSION

1137/rc

The Richmond District Community/Police Forum

hosts a

San Francisco Police Commission Monthly Meeting

There will be time for public comment.
Please attend and share your concerns
with the commissioners.

Wednesday, April 19, 2000, at 6 p.m.

The meeting is in lieu of the regular Tuesday monthly meeting of the Community/Police Forum.

Richmond District Police Station
461 Sixth Avenue

The Forum usually meets the third Tuesday of each month in the Community Meeting Room located behind the police station. Access is through the driveway on Sixth Avenue or through the mini-park on Seventh Avenue. Free parking is available at Kaiser Permanente, across the street from the police station.

For more information:

SF Neighborhood Safety Partnership, Karen Fishkin: 553-1962, ext. 13
Richmond Station, Officer Jill Connolly: 553-1385

If you no longer wish to receive these notices or you are receiving more than one, please leave your name and address at 387-1312. Thank you for your help in updating our mailing list.

Please invite your neighbors to come.

Fax 4/14/00

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The Police Commission

CITY AND COUNTY OF SAN FRANCISCO

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CONNIE PERRY
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WAYNE FRIDAY
Commissioner

ANGELO QUARANTA
Commissioner

LT. MANUEL BARRETTA
Secretary

SAN FRANCISCO POLICE COMMISSION AGENDA
REGULAR MEETING
WEDNESDAY, APRIL 19, 2000
6:00 p.m.

RICHMOND DISTRICT
RICHMOND DISTRICT POLICE STATION
461 Sixth Street
San Francisco

1. Pledge of Allegiance
2. Roll Call
3. Assignment of Commissioner and Setting of Date for Taking of Evidence on Disciplinary Charges filed against Inspector Dean M. Marcic, Investigations (File No. C00-059 JBR)
4. Police Commission Announcements
   a. Motion of Calendaring of New Items
5. Chief's Announcements and Review of Recent Department Events
6. OCC Director's Report re: Staffing, Budget and Summary of Recent Events
7. Captain Edward Springer, Commanding Officer of Richmond Station, to address the Commission on Police Activities in the Richmond District
8. Public Comments
   (Members of the public may address the Commission for up to 3 minutes for individuals or up to 5 minutes for groups. The President of the Commission may limit the total testimony time.)

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- The proceeding will be held at The Richmond Police Station, 461 6th Avenue, S.F.
  The closest accessible BART _____.
  Accessible MUNI lines serving this location are #38 Geary Line, #44 Line & #31 Line

For information about MUNI service call 923 6142.

- Accessible parking is available at the following location:_____

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San Francisco Police Department

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The Police Commission of the City and County of San Francisco met in the Richmond District, Richmond District Police Station, 461 Sixth Street, San Francisco, at 6:00 p.m., in a Regular Meeting.

PRESENT: Commissioners Herrera, Chan, Friday
ABSENT: Commissioners Perry, Quaranta

RESOLUTION NO. 28(b)-00

ASSIGNMENT OF COMMISSIONER AND SETTING OF DATE FOR TAKING OF EVIDENCE ON DISCIPLINARY CHARGES FILED AGAINST INSPECTOR DEAN M. MARCIC, INVESTIGATIONS (FILE NO. C00-059 JBR)

WHEREAS, the assignment of a Commissioner and setting of a date to conduct taking of evidence in disciplinary charges filed against Inspector Dean M. Marcic, Star No. 1085, Narcotics, was called it having been set for this date; and

WHEREAS, Commissioner Dennis Herrera is hereby assigned to conduct taking of evidence in the disciplinary charges filed against Inspector Dean M. Marcic; therefore be it

RESOLVED, that Commissioner Dennis Herrera is hereby assigned to conduct taking of evidence in the disciplinary charges filed against Inspector Dean M. Marcic, and is to be set at a later date.

AYES: Commissioners Herrera, Chan, Friday
ABSENT: Commissioners Perry, Quaranta

POLICE COMMISSION ANNOUNCEMENT

a. Motion of Calendaring of New Items

Commissioner Herrera welcomed the audience and introduced the Commissioners. Commissioners Chan and Friday introduced themselves.

CHIEF'S ANNOUNCEMENTS AND REVIEW OF RECENT DEPARTMENT EVENTS

Assistant Chief Sanders, for Chief Lau, introduced the command staff: Deputy Chief Pengel, Commanders Portoni, Fong, and Pisciotto.

Chief Sanders asked that meeting be adjourned in memory of Officer Shaw of the Vallejo Police Department.

OCC DIRECTOR'S REPORT RE: STAFFING, BUDGET, AND SUMMARY OF RECENT EVENTS

Director Mary Dunlap, OCC, gave an overview of OCC's duties and responsibilities.

CAPTAIN EDWARD SPRINGER, COMMANDING OFFICER OF RICHMOND STATION, TO ADDRESS THE COMMISSION ON POLICE ACTIVITIES IN THE RICHMOND DISTRICT

Captain Springer introduced David Heller, President of Geary Street Merchants Association. Mr. Heller thanked the Commission and presented Captain Springer with Certificate of Appreciation for his assistance. Mr. Heller also present Officer James Strange with a Certificate of Appreciation.

Captain Springer presented Mr. Heller with Certificate of Appreciation.

Kerry Sparks, Supervisor Yaki's office, presented Certificate of Honor to

Sergeants Michael Dempsey, Mike Jeffries, Officers James Strange, Terry Huey, Nathan Holmes, Troy Carrasco, Philip Busalacchi, Lorie Brophy.

Captain Springer discussed activities in the Richmond District and presented Certificates of Appreciation to Jon Grey, Pam Matsuda, and Karen Fishkin.

PUBLIC COMMENTS

Jean Lynch, resident, thanked Chief Lau for bulletin regarding para transit and discussed concerns regarding Geary/Fulton, Arguello Boulevard and lack of traffic enforcement. She further discussed skateboarders and bicyclists.

Ron Carlson, resident, discussed parking on sidewalks.

Ernestine Perata asked for more stop signs on Geary Boulevard and discussed 12th and Geary problems.

Unidentified discussed parking and traffic concerns.

Unidentified discussed 26th and Geary traffic concerns.

Allan Oliver discussed traffic concerns.

Jackie Sacks, resident, discussed concerns.

Joe Tam, SAFE, thanked Captain Springer and officers of Richmond Station.

Nick Buick discussed traffic concerns on Anza Street.

Mike Nikol discussed juvenile problems.

Thereafter, the meeting was adjourned at 7:35 p.m.

Lieutenant Manuel Barretta
Secretary
THE POLICE COMMISSION

1137/rc

The Police Commission

CITY AND COUNTY OF SAN FRANCISCO

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Commissioner

ANGELO QUARANTA
Commissioner

LT. MANUEL BARRETTA
Secretary

SAN FRANCISCO POLICE COMMISSION AGENDA

REGULAR MEETING
WEDNESDAY, APRIL 26, 2000
5:30 p.m.

Thomas J. Cahill Hall of Justice
850 Bryant Street, Room 551
San Francisco, California

fax 4/21/00
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1. Pledge of Allegiance

2. Roll Call

3. Assignment of Commissioner and Setting of Date for Taking of Evidence on Disciplinary Charges filed against Inspector Matthew J. Hanley, Narcotics (File JBR C00-060)

   too late to post

4. Police Commission Announcements
   a. Motion of Calendaring of New Items

5. Chief's Announcements and Review of Recent Department Events

6. OCC Director's Report re: Staffing and Budget and Summary of Recent Events

7. Presentation re: Computer Crime Investigations

8. Discussion and Action re: Request of the Chief of Police for Authorization to Apply for Retroactively, Accept, and Expend Funds from the California Office of Criminal Justice Planning (OCJP) to Implement the California Law Enforcement Technology Equipment Purchase (CLETEP) Program

9. Public Comments
   (Members of the public may address the Commission on items that are within the subject matter jurisdiction of the Police Commission that do not appear on the agenda.)

* *There will be Public Comments on any item before or during discussion of each item.*

KNOW YOUR RIGHTS UNDER THE SUNSHINE ORDINANCE
(Chapter 67 of the San Francisco Administrative Code)

Government's duty is to serve the public, reaching its decisions in full view of the public.

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PUBLIC MEETING/HEARING
ACCESSIBILITY INFORMATION

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- For information about the meeting call 553 1667 Voice, or 553 9194 TDD.

San Francisco Police Department

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APRIL 26, 2000 REGULAR MEETING

The Police Commission of the City and County of San Francisco met in their chambers, Room 551, Thomas J. Cahill Hall of Justice, 850 Bryant Street, San Francisco, at 5:35 p.m., in a Regular Meeting.

PRESENT: Commissioners Herrera, Chan, Perry, Friday, Quaranta

RESOLUTION NO. 29-00

ASSIGNMENT OF COMMISSIONER AND SETTING OF DATE FOR TAKING OF EVIDENCE ON DISCIPLINARY CHARGES FILED AGAINST INSPECTOR MATTHEW J. HANLEY, NARCOTICS (FILE NO. C00-060 JBR)

WHEREAS, the assignment of a Commissioner and setting of a date to conduct taking of evidence in disciplinary charges filed against Inspector Matthew J. Hanley, Star No. 2228, Narcotics, was called it having been set for this date; and

WHEREAS, Commissioner Dennis Herrera is hereby assigned to conduct taking of evidence in the disciplinary charges filed against Inspector Matthew J. Hanley; therefore be it

RESOLVED, that Commissioner Dennis Herrera is hereby assigned to conduct taking of evidence in the disciplinary charges filed against Inspector Matthew J. Hanley, and is to be set at a later date.

AYES: Commissioners Herrera, Chan, Perry, Friday, Quaranta

POLICE COMMISSION ANNOUNCEMENTS

a. Motion of Calendaring of New Items

Commissioner Herrera announced no meeting on May 10th. Commissioner also welcomed Chief Lau back and congratulated the Chief on birth of twin boys.

CHIEF'S ANNOUNCEMENT AND REVIEW OF RECENT DEPARTMENT EVENTS

Chief Lau presented Awards of Appreciation to employees of Mariott Hotel for their assistance in capturing armed robbery suspects.

OCC DIRECTOR'S REPORT RE: STAFFING AND BUDGET AND SUMMARY OF RECENT EVENTS

Director Mary Dunlap stated OCC is online with data and then discussed 17 applicants for OCC attorney and hopes to hire by middle of June.

RESOLUTION NO. 30-00

APPROVAL OF REQUEST OF THE CHIEF OF POLICE TO RETROACTIVELY APPLY FOR, ACCEPT, AND EXPEND FUNDS FROM THE CALIFORNIA OFFICE OF CRIMINAL JUSTICE PLANNING (OCJP) TO IMPLEMENT THE CALIFORNIA LAW ENFORCEMENT TECHNOLOGY EQUIPMENT PURCHASE (CLETEP) PROGRAM

RESOLVED, that the Police Commission hereby approves request of the Chief of Police to retroactively apply for, accept, and expend funds from the California Office of Criminal Justice Planning (OCJP) to implement the California Law Enforcement Technology Equipment Purchase (CLETEP)

Program, including any augmentations, extensions, and modifications.

AYES: Commissioners Herrera, Chan, Perry, Friday, Quaranta

PRESENTATION RE: COMPUTER CRIME INVESTIGATIONS

Lieutenant Lon Ramlan, Crime Scene Investigations, presented overview.

PUBLIC COMMENTS

None.

Thereafter, meeting was adjourned at 6:05 p.m.

Lieutenant Manuel Barretta
Secretary
THE POLICE COMMISSION

1137/rc

The Police Commission

CITY AND COUNTY OF SAN FRANCISCO

DENNIS HERRERA
President

SIDNEY CHAN
Vice President

CONNIE PERRY
Commissioner

WAYNE FRIDAY
Commissioner

ANGELO QUARANTA
Commissioner

LT. MANUEL BARRETTA
Secretary

SAN FRANCISCO POLICE COMMISSION AGENDA

AND NOTICE OF SPECIAL MEETING
WEDNESDAY, MAY 3, 2000
5:15 p.m.

Thomas J. Cahill Hall of Justice
850 Bryant Street, Room 505
San Francisco, California

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1. Roll Call

2. Public Comment on all matters pertaining to the Closed Session

3. Vote on whether to hold Closed Session and/or assert Attorney/Client Privilege to confer with legal counsel. (San Francisco Administration Code Section 67.11(a).)

4. Closed Session held pursuant to Government Code 54956.9 and San Francisco Administrative Code Section 67.11(b).

   CONFERENCE WITH LEGAL COUNSEL - Existing Litigation

   a. Anita Hanks, Kenneth Hanks, Jr., and Kenneth Hanks, Sr. v. City and County of San Francisco et al., U.S. District Court No. C96-0310 CAL

The Police Commission

CITY AND COUNTY OF SAN FRANCISCO

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WAYNE FRIDAY
Commissioner

ANGELO QUARANTA
Commissioner

LT. MANUEL BARRETTA
Secretary

SAN FRANCISCO POLICE COMMISSION AGENDA

REGULAR MEETING
WEDNESDAY, MAY 3, 2000
5:30 p.m.

Thomas J. Cahill Hall of Justice
850 Bryant Street, Room 551
San Francisco, California

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1. Pledge of Allegiance
2. Roll Call
3. Discussion and Vote on whether to Disclose Discussion and Disclosure of Action taken in Closed Session
4. Approval of Consent Calendar
5. Police Commission Announcements
   a. Motion of Calendaring of New Items
6. Chief's Announcements and Review of Recent Department Events
7. OCC Director's Report re: Staffing and Budget and Summary of Recent Events
8. Discussion and Action re: Recommendation of Awards Committee
9. Discussion and Action re: Revised General Order 3.07, "Department Accident Board of Review"
10. Discussion and Action re: Revised General Order 11.05, "Qualifications for Specialized Units"
11. Public Comments
    (Members of the public may address the Commission on items that are within the subject matter jurisdiction of the Police Commission that do not appear on the agenda.)

The Police Commission

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Commissioner

ANGELO QUARANTA
Commissioner

LT. MANUEL BARRETTA
Secretary

SAN FRANCISCO POLICE COMMISSION AGENDA

REGULAR MEETING
WEDNESDAY, MAY 3, 2000
5:30 p.m.

Thomas J. Cahill Hall of Justice
850 Bryant Street, Room 551
San Francisco, California

12. Hearing and Disposition on Disciplinary Charges filed against Officer Peter W. Schlegle, Muni (File No. JWA C99-179)

CONSENT CALENDAR

1. Recommendation of the City Attorney for Settlement of the following claim:

   a. Anita Hanks, Kenneth Hanks, Jr., and Kenneth Hanks, Sr. v. City and County of San Francisco et al., U.S. District Court No. C96-0310 CAL

*There will be Public Comments on any item before or during discussion of each item.

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MAY 3, 2000 **CLOSED SESSION**

The Police Commission of the City and County of San Francisco met in their chambers, Room 505-2, Thomas J. Cahill Hall of Justice, 850 Bryant Street, San Francisco, at 5:15 p.m., in Closed Session.

CONFERENCE WITH LEGAL COUNSEL - Existing Litigation

a. Anita Hanks, Kenneth Hanks, Jr., and Kenneth Hanks, Sr. v. City and County of San Francisco, et al., U.S. District Court No. C96-0310 CAL

PRESENT: Commissioners Herrera, Perry, Quaranta
ABSENT: Commissioners Chan, Friday

MAY 3, 2000 **REGULAR MEETING**

The Police Commission of the City and County of San Francisco met in their chambers, Room 551, Thomas J. Cahill Hall of Justice, 850 Bryant Street, San Francisco, at 5:35 p.m., in a Regular Meeting.

PRESENT: Commissioners Herrera, Perry, Quaranta
ABSENT: Commissioners Chan, Friday

APPROVAL OF CONSENT CALENDAR

RESOLUTION NO. 31-00

ANITA HANKS, KENNETH HANKS, JR., AND KENNETH HANKS, SR. v. CITY AND COUNTY OF SAN FRANCISCO ET AL.

RESOLVED, that the recommendation of the City Attorney for settlement of the litigation of "Anita Hanks, Kenneth Hanks, Jr., and Kenneth Hanks, Sr., v. City and County of San Francisco et al.," in U.S. District Court No. C96-0310 CAL, be, and the same is hereby approved.

Date of Incident: March 14, 1995

AYES: Commissioners Herrera, Perry, Quaranta
ABSENT: Commissioners Chan, Friday

DISCUSSION AND VOTE ON WHETHER TO DISCLOSE DISCUSSION AND DISCLOSURE OF ACTION TAKEN IN CLOSED SESSION

The Commission voted not to disclose discussion and action taken in Close Session.

POLICE COMMISSION ANNOUNCEMENTS

a. Motion of Calendaring of New Items

No meeting on the 10th and District Meeting on the 17th at Ingleside Station.

CHIEF'S ANNOUNCEMENTS AND REVIEW OF RECENT DEPARTMENT EVENTS

Deputy Chief Welch, for Chief Lau, discussed 911 failure on Monday and emergency procedures until system came back up.

OCC DIRECTOR'S REPORT RE: STAFFING AND BUDGET AND SUMMARY OF RECENT EVENTS

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Director Mary Dunlap mentioned passing of Lefty Gordon. Commissioner Herrera praises Lefty Gordon and stated meeting will be adjourned in his honor.

RESOLUTION NO. 32-00

AWARDS GRANTED TO MEMBERS OF THE POLICE DEPARTMENT

WHEREAS, the following named members of the Police Department have been commended for courageous service under the provisions of General Order 3.09, Section I.A.1 of the San Francisco Police Department, as approved by the Awards Committee on Thursday, March 30, 2000; and

WHEREAS, Chief of Police Fred H. Lau has recommended to the Police Commission that the said members be rewarded under the provisions of Section 8.405(a)(4) of the Charter of the City and County of San Francisco; therefore be it

RESOLVED, that Officers Ian Furminger, Jason Sawyer and Paul Lozada are hereby awarded the Gold Medals of Valor are hereby awarded the Gold Medals of Valor and granted a reward of $1500.00 provided for under said section of the Charter; and be it further

RESOLVED, that Sergeants Michael Browne and Fredrick Schiff, Officers John Ferrando, Phillip W. Frenkel, Pilar Torres, Daniel Simone, Michael Redmond, Kirk Edison, Brian Michaud, Alan Callaway and Damon Keeve are hereby awarded Silver Medals of Valor and granted rewards of $1000.00 each, as provided for under said Section of the Charter; and be it further

RESOLVED, that Sergeants Michael Connolly, Michael Stasko, and John Peterson and Officers Steven Griffin, Stevie Bacolot, Candace Silva, Scott Kendall, *Joseph Barretta**, Michael Nelson, *Nancie Guillory**, Paul Weggenman, Raymond Lee, Glen Ortega, Jose Lopez, Yesenia Grajeda, Tim Kiely, Mark Cota, James Arnswald, Daryl Deen, John Robertson, Arkady Zlobinsky, Leo Kiang, and Lloyd Martin are hereby awarded Bronze Medals of Valor and granted rewards of $500.00 each, as provided for under said Section of the Charter; and be it further

RESOLVED, that Lieutenant Michael Puccinelli, Inspectors John Cagney, Gary Delagnes, Michael McEachern, Brian Olcomendy, Dan Perea, Michael Philpott, Robert McMillan, and Officers John Conefrey, Peter McLaughlin, Henry Lam, William Braconi, Daniel Gibbs, Michael Androvich, Moses Gala, Eric Vintero, Frank Valiquette, Robert Sanchez, Ricardo Guerrero, Gregory Breslin, Kevin Healy,Nicholas Rubino, Mario Molina, Adriano Castro, and Gary Hazelhofer are hereby awarded Meritorious Conduct Awards and granted a reward of $200.00 each, as provided for under said Section of the Charter.

*(*Members received two (2) Awards and Rewards)*

AYES: Commissioners Herrera, Perry, Quaranta
ABSENT: Commissioners Chan, Friday

DISCUSSION AND ACTION RE: REVISED GENERAL ORDER 3.07, "DEPARTMENT ACCIDENT BOARD OF REVIEW"

Put over at a later date.

DISCUSSION AND ACTION RE: REVISED GENERAL ORDER 11.05, "QUALIFICATIONS FOR SPECIALIZED UNITS"

Put over at a later date.

PUBLIC COMMENTS

None

HEARING OF OFFICER PETER W. SCHLEGLE, MUNI
(FILE NO. C99-179 JWA)

The hearing of Police Officer Peter W. Schlegle, Star No. 749, was called it having been set for this date. Officer Schlegle was charged, in a properly verified complaint by Chief of Police Fred H. Lau of the San Francisco Police Department, with violating the Rules and Procedures as follows:

SPECIFICATION NO. 1

Engaging in conduct which subverts the good order, efficiency, and discipline of the department and which brings discredit on the department (violation of Rule 9 of Department General Order 2.01 of the San Francisco Police Department);

Officer Peter W. Schlegle appeared in person and was represented by Sergeant Carl Tennenbaum, POA.

Mr. Jerry W. Akins, Attorney at Law, appeared on behalf of the San Francisco Police Department.

Officer Schlegle admitted to the specification contained in Specification No. 1 in File No. C99-179 JWA. Officer Schlegle personally affirmed the admission in these matters and accepts responsibility for his acts.

Based on Officer Schlegle's admission, the Commission requested a recommendation from Chief of Police Fred H. Lau. It is the recommendation of the Chief of Police that Officer Peter W. Schlegle be suspended for forty-five (45) days with fifteen (15) days held in abeyance for two (2) years on the following conditions: That he not engage in any serious acts of misconduct; and, that he participate in the Department's General Order 11.11 monitoring program with the Commanding Officer of the Staff Services Division for two (2) years, including providing documentary confirmation of treatment and programs regarding alcohol abuse he has participated in since this incident.

The Commission took the matter under submission and the following resolution was adopted:

RESOLUTION NO. 33-00

DECISION-HEARING OF OFFICER PETER W. SCHLEGLE
(FILE NO. C99-179 JWA)

WHEREAS, on March 6, 2000, Fred H. Lau, Chief of Police of the San Francisco Police Department, made and served charges against Officer Peter W. Schlegle, as follows:

SPECIFICATION NO. 1
Engaging in conduct which subverts the good order, efficiency, and discipline of the department and which brings discredit on the department (violation of Rule 9 of Department General Order 2.01 of the San Francisco Police Department);

(1) At all times herein mentioned Peter W. Schlegle, Star Number 749, (referred to as "the accused") was a police officer employed by the San Francisco Police Department assigned to the Field Operation Bureau, Bayview Police Station;

(2) As member of the department, the accused was and is responsible for knowing and obeying the rules, orders, and procedures of the San Francisco Police Department;

(3) On Saturday, November 14, 1998, at 2245 hours, the accused was off duty and dressed in civilian clothes. As that time, the accused was on his way from a social gathering in San Francisco to his home in San Bruno, California. The accused drove a rented motor vehicle in a southbound direction on Princeton Drive, South of its intersection with San Bruno Avenue, in the City of San Bruno, San Mateo County, State of California.

(4) On November 14, 1998, at 2245 hours, as the accused proceeded southbound on Princeton Drive, about 20 feet South of San Bruno Avenue, he struck a car which was legally parked facing North. The collision occurred in the 2200 Block of Princeton Drive. The force of the impact pushed the parked car so that it was facing East. The accused's automobile then traveled across the sidewalk, down a hill covered with plants, and smashed into an apartment building, damaging the building and a retaining wall. The accused and a woman passenger then exited the vehicle and left the immediate area.

(5) A member of the San Bruno Police Department (First SBPD officer) was dispatched to the scene of the accident. Another San Bruno police officer (Second SBPD officer) also dispatched to the scene located and interviewed witnesses who had seen the accused and his passenger exit the accused's automobile and had seen them leave the area. The First SBPD officer searched the neighborhood and located the accused and his passenger a short distance away from the collision site. The First SBPD officer identified the accused from the descriptions given by witnesses who had described the accused as the driver, for a "field show up" at the corner of Princeton and Madison Avenues. Both witnesses positively identified the accused as the person they saw exit from the driver's seat of the vehicle.

(6) When the First SBPD officer contacted the accused, he noted the odor of beverage alcohol on his breath and that his eyes were watery and glassy. The accused identified himself with his drivers license and San Francisco Police Department identification card. The First SBPD officer administered roadside sobriety tests. The accused failed to successfully complete the roadside sobriety tests.

(7) The First SBPD officer arrested the accused on November 14, 1998, at 2312 hours. After the accused was arrested, the arresting officer admonished the accused that the implied consent law set forth in California Vehicle Code §23157 required him to submit to his choice of a blood, a breath, or a urine test for the presence of alcohol or drugs in the blood. The accused agreed to submit to a blood test. The test was administered at the First Chance Intox Center in San Mateo County on November 15, 1998 at 0025 hours. The blood sample was then tested by the Forensic Laboratory of the San Mateo Sheriff's Office. The blood test results indicated .17 percent of alcohol in the blood by weight. The matter was referred to the District Attorney of San Mateo County for prosecution for violation of California Vehicle Code §§23152(a) and (b); any reasonable police officer must know that such conduct violates the standards of the department and is cause for discipline or dismissal from employment; therefore, such conduct violates Rule 9 of Department General Order 2.01, which states:

"MISCONDUCT. Any breach of the peace, neglect of duty, misconduct, or any conduct on the part of an officer either within or without the State that tends to subvert the order, efficiency or discipline of the Department, or reflects discredit upon the Department or any member, or is prejudicial to the efficiency and discipline of the Department, though not specifically defined or set forth in Department policies and procedures, shall be considered unofficer-like conduct subject to disciplinary action."

WHEREAS, a hearing on said charges was held before the Police Commission pursuant to Appendix A, Section A 8.343 of the Charter of the City and County of San Francisco on May 3, 2000 where the matter was submitted to the Police Commission for decision; and

WHEREAS, based on Officer Peter Schlegle's admission, the Commission finds the allegations contained in Specification No. 1 of the charges as preferred by Chief of Police Fred H. Lau against Officer Schlegle are sustained; and the Commission adopts the sustained specification as its findings in this matter; therefore be it

RESOLVED, that based on these findings, consistent with the Commission's duty to protect the health, safety, and general welfare of the citizens of the City and County of San Francisco and the public in general, and in order to promote efficiency and discipline in the San Francisco Police Department, the Police Commission orders the following discipline be imposed:

SPECIFICATION NO. 1

Sustained

That Officer Peter W. Schlegle be suspended for forty-five (45) days with fifteen (15) days held in abeyance for two (2) years on the following conditions: That he not engage in any serious acts of misconduct; and, that he participate in the Department's General Order 11.11 monitoring program with the Commanding Officer of the Staff Services Division for two (2) years, including providing documentary confirmation of treatment and programs regarding alcohol abuse he has participated in since this incident.

FURTHER RESOLVED, that said thirty (30) day suspension shall commence on Thursday, June 1, 2000, at 0001 hours, and terminate on Friday, June 30, 2000, at 2400 hours.

If this decision is subject to review under Code of Civil Procedure section 1094.5, then the time and within which judicial review must be sought is governed by California Code of Civil Procedure, section 1094.6.

AYES: Commissioners Herrera, Perry, Quaranta
ABSENT: Commissioners Chan, Friday

Thereafter, the meeting was adjourned at 6:55 p.m.

_____
Lieutenant Manuel Barretta
Secretary
THE POLICE COMMISSION

1137/rc

The Police Commission

CITY AND COUNTY OF SAN FRANCISCO

DENNIS HERRERA
President

SIDNEY CHAN
Vice President

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Commissioner

WAYNE FRIDAY
Commissioner

ANGELO QUARANTA
Commissioner

LT. MANUEL BARRETTA
Secretary

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Cancelled

CALENDAR OF PROCEEDINGS
POLICE COMMISSION MEETING

There will be no Police Commission Regular Meeting on ***Wednesday, May 10, 2000***. The next Police Commission Regular Meeting will be on **Wednesday, May 17, 2000**, hosted by the Ingleside District, at the Police Academy, 350 Amber, San Francisco, 6:00 p.m.

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THE
SAN FRANCISCO POLICE COMMISSION
AND
INGLESIDE POLICE STATION

CORDIALLY INVITE YOU AND YOUR NEIGHBORS TO ATTEND THE MONTHLY MEETING OF

THE SAN FRANCISCO POLICE COMMISSION

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MAY 17 2000

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WEDNESDAY, MAY 17, 2000
TIME: 6:00 P.M.

AT

THE SAN FRANCISCO POLICE ACADEMY
350 AMBER DRIVE

COME AND MEET THE SAN FRANCISCO POLICE COMMISSIONERS

THERE WILL BE AN OPPORTUNITY FOR PUBLIC COMMENTS
DURING THE MEETING

The Police Commission

CITY AND COUNTY OF SAN FRANCISCO

DENNIS HERRERA
President

SIDNEY CHAN
Vice President

CONNIE PERRY
Commissioner

WAYNE FRIDAY
Commissioner

ANGELO QUARANTA
Commissioner

LT. MANUEL BARRETTA
Secretary

SAN FRANCISCO POLICE COMMISSION AGENDA
REGULAR MEETING
WEDNESDAY, MAY 17, 2000
6:00 p.m.

INGLESIDE DISTRICT
SAN FRANCISCO POLICE ACADEMY
350 Amber Drive
San Francisco

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1. Pledge of Allegiance
2. Roll Call
3. Approval of Consent Calendar
4. Police Commission Announcements
   a. Motion of Calendaring of New Items
5. Chief's Announcements and Review of Recent Department Events
6. OCC Director's Report re: Staffing, Budget and Summary of Recent Events
7. Captain Marsha Ashe, Commanding Officer of Ingleside Station, to address the Commission on Police Activities in the Ingleside District
8. Public Comments
   (Members of the public may address the Commission for up to 3 minutes for individuals or up to 5 minutes for groups. The President of the Commission may limit the total testimony time.)

CONSENT CALENDAR

1. Request of the Chief of Police to Accept Donation of $5,000.00 from Mrs. Karen Fireman for the use of the San Francisco Police Mounted Unit

*There will be Public Comments on any item before or during discussion of each item.

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The closest accessible BART n/a.
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5/17/00

The Police Commission of the City and County of San Francisco met in the Ingleside District, at the Police Academy, 350 Amber Drive, San Francisco, at 6:00 p.m., in a Regular Meeting.

PRESENT: Commissioners Chan, Perry, Friday, Quaranta
ABSENT: Commissioner Herrera

APPROVAL OF CONSENT CALENDAR

RESOLUTION NO. 34-00

APPROVAL TO ACCEPT DONATION OF $5,000.00 FROM MRS. KAREN FIREMAN FOR THE USE OF THE SAN FRANCISCO MOUNTED UNIT

RESOLVED, that the Police Commission hereby approves request of the Chief of Police to accept donation of $5,000.00 from Mrs. Karen Fireman for the use of the San Francisco Mounted Unit.

AYES: Commissioners Chan, Perry, Friday, Quaranta
ABSENT: Commissioner Herrera

POLICE COMMISSION ANNOUNCEMENTS

a. **Motion of Calendaring of New Items**

Commissioners Chan, Perry, Friday, and Quaranta introduced themselves. No items to be calendared.

CHIEF'S ANNOUNCEMENTS AND REVIEW OF RECENT DEPARTMENT EVENTS

Chief Lau discussed article in S.F. Independent regarding Pedestrian Safety. The Chief also talked about the Police Memorial held earlier in the day honoring members killed in the line of duty.

The Chief discussed indictments and arrests of gang members.

The Chief introduced the Command Staff.

OCC DIRECTOR'S REPORT RE: STAFFING, BUDGET, AND SUMMARY OF RECENT EVENTS

Director Mary Dunlap discussed duties and responsibilities of the OCC.

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CAPTAIN MARSHA ASHE, COMMANDING OFFICER OF INGLESIDE STATION, TO ADDRESS THE COMMISSION ON POLICE ACTIVITIES IN THE INGLESIDE DISTRICT

Captain Ashe described activities in the district and presented certificates of appreciation to Don Murphy and Charles Bowles.

PUBLIC COMMENTS

Steve Currier, Outer Mission Residents Association, complemented Captain Ashe and discussed graffiti problems.

John Kelvin discussed concerns.

Betty Wilson, President Geneva Terrace Residents Association, commended Capt. Aske and discussed problems with graffiti, abandoned cars and requested for more patrol in the area.

Tom Lucas, President of Cayuga Improvement Association, thanked Captain Ashe.

Sylvia Dunn discussed traffic concerns.

Thereafter, the meeting was adjourned at 6:45 p.m.

_____

Lieutenant Manuel Barretta
Secretary
THE POLICE COMMISSION

1137/rc

The Police Commission

CITY AND COUNTY OF SAN FRANCISCO

DENNIS HERRERA
President

SIDNEY CHAN
Vice President

CONNIE PERRY
Commissioner

WAYNE FRIDAY
Commissioner

ANGELO QUARANTA
Commissioner

LT. MANUEL BARRETTA
Secretary

SAN FRANCISCO POLICE COMMISSION AGENDA

REGULAR MEETING
WEDNESDAY, MAY 24, 2000
5:30 p.m.

Thomas J. Cahill Hall of Justice
850 Bryant Street, Room 551
San Francisco, California

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1. Pledge of Allegiance
2. Roll Call
3. Approval of Consent Calendar
4. Police Commission Announcements
   a. Motion of Calendaring of New Items
5. Chief's Announcements and Review of Recent Department Events
6. OCC Director's Report re: Staffing and Budget and Summary of Recent Events
7. Public Comments
   (Members of the public may address the Commission on items that are within the subject matter jurisdiction of the Police Commission that do not appear on the agenda.)
8. Hearing and Disposition on Disciplinary Charges filed against Officer Lawrence F. McDevitt, Park (File Nos. C97-295 JWA & C98-198 JWA)
9. Hearing and Disposition on Disciplinary Charges filed against Officer Roy Michael Ramos, Support Services (File No. C98-027 JWA)

The Police Commission

CITY AND COUNTY OF SAN FRANCISCO

DENNIS HERRERA
President

SIDNEY CHAN
Vice President

CONNIE PERRY
Commissioner

WAYNE FRIDAY
Commissioner

ANGELO QUARANTA
Commissioner

LT. MANUEL BARRETTA
Secretary

SAN FRANCISCO POLICE COMMISSION AGENDA

REGULAR MEETING
WEDNESDAY, MAY 24, 2000
5:30 p.m.

Thomas J. Cahill Hall of Justice
850 Bryant Street, Room 551
San Francisco, California

CONSENT CALENDAR

1. Request of the Chief of Police to Accept Donation of a Hewlett Packard Computer from Goodby, Silverstein and Partners for Use of the Bayview Station

**There will be Public Comments on any item before or during discussion of each item.*

KNOW YOUR RIGHTS UNDER THE SUNSHINE ORDINANCE
(Chapter 67 of the San Francisco Administrative Code)

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PUBLIC MEETING/HEARING
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San Francisco Police Department

SF
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#2
1/24/00

MAY 24, 2000 REGULAR MEETING

The Police Commission of the City and County of San Francisco met in their chambers, Room 551, Thomas J. Cahill Hall of Justice, 850 Bryant Street, San Francisco, at 5:45 p.m., in a Regular Meeting.

PRESENT: Commissioners Herrera, Chan, Perry, Friday, Quaranta

APPROVAL OF CONSENT CALENDAR

RESOLUTION NO. 35-00

APPROVAL OF REQUEST OF THE CHIEF OF POLICE TO ACCEPT DONATION OF A HEWLETT PACKARD COMPUTER FOR USE OF THE BAYVIEW STATION

RESOLVED, that the Police Commission hereby approves request of the Chief of Police to accept donation of a Hewlett Packard Computer from the firm of Goodby, Silverstein and Partners for community use at the Bayview Station. Approximate value of $1100.00.

AYES: Commissioners Herrera, Chan, Perry, Friday, Quaranta

HEARING OF AND DISPOSITION ON DISCIPLINARY CHARGES FILED AGAINST OFFICER LAWRENCE F. McDEVITT, PART (FILE NOS. C97-295 JWA & C98-198 JWA)

Taken out of order. To be rescheduled on a later date.

POLICE COMMISSION ANNOUNCEMENTS

a. Motion of Calendaring of New Items

Commissioner Herrera discussed recent outbreak of violence in Bayview Station. The Commissioner has talked with Housing Authority Commission and Department will discuss a quarterly discussion with two police commissioners and three housing commissioners regarding concerns of community regarding violence.

Commissioner Herrera introduced Housing Commissioner Paula Kitses. Commissioner Kitses addressed the Commission and discussed safety and stated the Commission wants to work with the Police Commission and the Police Department to improve safety.

Commissioner Perry to work with Housing Commission.

CHIEF'S ANNOUNCEMENTS AND REVIEW OF RECENT DEPARTMENT EVENTS

Chief Lau discussed recent graduation of Citizens Academy and stated 15 graduates completed 15 weeks of training.

The Chief also discussed Buzz the Fuzz fund-raiser for children suffering from cancer.

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OCC DIRECTOR'S REPORT RE: STAFFING AND BUDGET AND SUMMARY OF RECENT EVENTS

Director Mary Dunlap stated OCC has new attorney and that the annual report will be presented next week.

Commissioner Friday asked regarding open investigator position. Director Dunlap stated request in process and is in Mayor's officer awaiting action.

HEARING OF OFFICER ROY MICHAEL RAMOS, SUPPORT SERVICES (FILE NO. C98-027 JWA)

Taken out of order.

The hearing of Police Officer Roy Michael Ramos, Star No. 2218, was called it having been set for this date. Officer Ramos was charged, in a properly verified complaint by Chief of Police Fred H. Lau of the San Francisco Police Department, with violating the Rules and Procedures as follows:

SPECIFICATION NO. 1

Engaging in rude threatening conduct and cursing at another person involved in a minor incident after identifying himself as a member of the San Francisco Police Department, conduct which subverts the good order, efficiency and discipline of the department and which brings discredit on the department (violation of Rules 9 and 14 of Department General Order 2.01 of the San Francisco Police Department);

SPECIFICATION NO. 2

Engaging in misconduct while Police Commission termination held in abeyance (violation of Rule 9 of Department General Order 2.01 of the San Francisco Police Department);

Officer Roy Michael Ramos appeared in person and was represented by Ms. Kathy Mahoney, POA.

Mr. Jerry W. Akins, Attorney at Law, appeared on behalf of the San Francisco Police Department.

Officer Ramos admitted to the truth of the allegations contained in Specifications No. 1 and No. 2 in File No. C98-027 JWA. Officer Ramos personally affirmed the admission in these matters and accepts responsibility for his acts.

Based on Officer Ramos's admission, the Commission requested a recommendation from Chief of Police Fred H. Lau. It is the recommendation of the Chief of Police that Officer Roy Michael Ramos be terminated with termination held in abeyance for three (3) years on the following conditions: That he be suspended for 60 days forthwith; that he not engage in any serious acts of misconduct; and, that he participate in the Department General Order 11.11 monitoring program with the Commanding Officer of the Staff Services Division for three (3) years, including providing documentary confirmation of treatment and programs regarding anger management as required by the Department General Order 11.11 Program.

The Commission took the matter under submission and the following resolution was adopted:

RESOLUTION NO. 36-00

DECISION-HEARING OF OFFICER ROY MICHAEL RAMOS
(FILE NO. C98-027 JWA)

WHEREAS, on April 14, 1998, Fred H. Lau, Chief of Police of the San Francisco Police Department, made and served charges against Officer Roy Michael Ramos, Star No. 2218, as follows:

SPECIFICATION NO. 1
Engaging in rude threatening conduct and cursing at another person involved in a minor incident after identifying himself as a member of the San Francisco Police Department, conduct which subverts the good order, efficiency, and discipline of the department and which brings discredit on the department (violation of Rules 9 and 14 of Department General Order 2.01 of the San Francisco Police

Department);

(1) At which time herein mentioned Roy Michael Ramos, Star Number 2218, (hereinafter referred to as "the accused") was a police officer employed by the San Francisco Police Department assigned to the Tenderloin Task Force of the Field Operations Bureau;

(2) As a police officer, the accused was and is responsible for knowing and obeying the rules, orders, and procedures of the San Francisco Police Department;

(3) On July 31, 1997, at 1820 hours, the accused was off duty dressed in civilian clothes; the accused at all times mentioned was operating his personal automobile;

(4) On July 31, 1997, at 1820 hours, immediately before the incident described in this specification, the accused was driving his automobile in Golden Gate Park, southbound on Martin Luther Kind, Jr. Drive near where it intersects with Lincoln Way, and continues South of Lincoln Way at 9th Avenue in the City and County of San Francisco. The accused stopped at the red signal light at Lincoln Way and proceeded south across Lincoln Way on 9th Avenue. A woman on a bicycle, referred to as the "victim" also had stopped for the red light and also continued across Lincoln Way southbound on 9th Avenue;

(5) A short distance after crossing Lincoln Way, on 9th Avenue the accused and victim nearly collided. The victim described the accused as driving toward her, swerving toward her and she took evasive action to avoid being hit. The accused said he looked away from the road, looked back then noticed the victim on her bicycle in the street, he said he then applied his brakes and narrowly avoided colliding with the victim;

(6) The accused stopped his vehicle in a bus zone on 9th Avenue near Lincoln Way. The victim approached the accused and told him that he almost killed her. The accused became enraged and told the victim that he could kill her and repeatedly cursed at her. When the victim wrote the accused's vehicle license number on a piece of paper, the accused told her to go ahead and write it down. When the victim took a cellular phone out of her backpack, the accused told her to go ahead, call the police, and that they would do nothing. The accused showed his police star to the victim and told her that he would cite her if he was on duty;

(7) The accused, by cursing and threatening a member of the public, identifying himself as a member of the department, and by threatening police action against the victim while engaged in a personal dispute, failed to follow department policy and procedures set forth in department general orders, in violation of Rule 14 of Department Order 2.01, which states:

"PUBLIC COURTESY. When acting in the performance of their duties, while on or off duty, members shall treat the public with courtesy and respect and not use harsh, profane or uncivil language. When requested, members shall promptly and politely provide their name, star number, and assignment."

(8) The accused, by engaging in rude threatening conduct and cursing at another person involved in a minor incident and identifying himself as a member of the San Francisco Police Department, engaged in conduct which subverts the good order, efficiency, and discipline of the department in violation of Rule 9 of Department General Order 2.01, which states:

"MISCONDUCT. Any breach of the peace, neglect of duty, misconduct or any conduct on the part of an officer either within or without the State

that tends to subvert the order, efficiency or discipline of the Department, or reflects discredit upon the Department or any member, or is prejudicial to the efficiency and discipline of the Department, though not specifically defined or set forth in department policies and procedures, shall be consider unofficer-like conduct subject to disciplinary action."

SPECIFICATION NO. 2
Engaging in misconduct while Police Commission termination held in abeyance (violation of Rule 9 of Department General Order 2.01 of the San Francisco Police Department):

(9) Paragraphs 1 through 8 of Specification No. 1, above, are realleged as though set forth in full;

(10) On June 6, 1996, the accused appeared before the Honorable Police Commission in connection with charges that while the accused was off duty he carried a handgun while intoxicated and that he operated a motor vehicle while intoxicated. The accused plead guilty to both charges and the Police Commission ordered that the accused be terminated, however, that the termination should be held in abeyance for two years, that during the two years, he not engage in further misconduct and on condition that he enroll in an alcohol abuse rehabilitation program pursuant to Department General Order 11.11 and that the accused engaged in behavior modification counseling under the direction of the Department's psychologist;

(11) The accused, by engaging in acts of misconduct while on probation as a result of a Police Commission termination held in abeyance, had engaged in conduct which subverts the good order, efficiency, and discipline of the department in violation of Rule 9 of Department General Order 2.01, which states:

"MISCONDUCT. Any breach of the peace, neglect of duty, misconduct or any conduct on the part of an officer either within or without the State that tends to subvert the order, efficiency or discipline of the Department, or reflects discredit upon the Department or any member, or is prejudicial to the efficiency and discipline of the Department, though not specifically defined or set forth in department policies and procedures, shall be consider unofficer-like conduct subject to disciplinary action."

WHEREAS, a hearing on said charges was held before the Police Commission pursuant to Appendix A. Section A 8.343 of the Charter of the City and County of San Francisco on May 24, 2000 where the matter was submitted to the Police Commission for decision; and

WHEREAS, based on Officer Peter Ramos' admission, the Commission finds the allegations contained in Specifications No. 1 and No. 2 of the charges as preferred by Chief of Police Fred H. Lau against Officer Ramos are sustained; and the Commission adopts the sustained specification as its findings in this matter; therefore be it

RESOLVED, that based on these findings, consistent with the Commission's duty to protect the health, safety, and general welfare of the citizens of the City and County of San Francisco and the public in general, and in order to promote efficiency and discipline in the San Francisco Police Department, the Police Commission orders the following discipline be imposed:

SPECIFICATION NO. 1 - Sustained

SPECIFICATION NO. 2 - Sustained

That Officer Roy Michael Ramos be terminated with termination held in

abeyance for three (3) years on the following conditions: That he be suspended for 60 days forthwith; that he not engage in any serious acts of misconduct; and, that he participate in the Department General Order 11.11 monitoring program with the Commanding Officer of the Staff Services Division for three (3) years, including providing documentary confirmation of treatment and programs regarding anger management as required by the Department General Order 11.11 Program.

FURTHER RESOLVED, that said sixty (60) day suspension shall commence on Saturday, May 27, 2000, at 0001 hours, and terminate on Tuesday, July 25, 2000, at 2400 hours.

If this decision is subject to review under Code of Civil Procedure section 1094.5, then the time and within which judicial review must be sought is governed by California Code of Civil Procedure, section 1094.6.

AYES: Commissioners Herrera, Chan, Perry, Friday, Quaranta

PUBLIC COMMENTS

None

Thereafter, the meeting was adjourned at 6:10 p.m.

_____
Lieutenant Manuel Barretta
Secretary
THE POLICE COMMISSION

1137/rc

The Police Commission

CITY AND COUNTY OF SAN FRANCISCO

DENNIS HERRERA
President

SIDNEY CHAN
Vice President

CONNIE PERRY
Commissioner

WAYNE FRIDAY
Commissioner

ANGELO QUARANTA
Commissioner

LT. MANUEL BARRETTA
Secretary

SAN FRANCISCO POLICE COMMISSION AGENDA

REGULAR MEETING
WEDNESDAY, MAY 31, 2000
5:30 p.m.

Thomas J. Cahill Hall of Justice
850 Bryant Street, Room 551
San Francisco, California

Fax 5/26/00
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1. Pledge of Allegiance
2. Roll Call
3. Police Commission Announcements
   a. Motion of Calendaring of New Items
4. Chief's Announcements and Review of Recent Department Events
5. OCC Director's Report re: Staffing and Budget and Summary of Recent Events
6. Presentation of OCC's 1999 Annual Report and October & November 1999 Statistical Reports
7. Status Report re: "Roll Call" Training
8. Public Comments
   (Members of the public may address the Commission on items that are within the subject matter jurisdiction of the Police Commission that do not appear on the agenda.)

**There will be Public Comments on any item before or during discussion of each item.*

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PUBLIC MEETING/HEARING
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San Francisco Police Department

The Police Commission of the City and County of San Francisco met in their chambers, Room 551, Thomas J. Cahill Hall of Justice, 850 Bryant Street, San Francisco, at 5:40 p.m., in a Regular Meeting.

PRESENT: Commissioners Herrera, Chan, Perry, Friday, Quaranta

POLICE COMMISSION ANNOUNCEMENTS

a. Motion of Calendaring of New Items

Commissioner Herrera discussed letter from Chief Lau regarding OCC Case Number 0861.96. Commissioner Herrera read the letter, dated 5/31/00, for the record: (Letter addressed to the Police Commission, signed by Chief Fred H. Lau)

"Pursuant to the December 1, 1999 stipulation between the Office of Citizen Complaints and this Department, this letter is to inform you that Assistant Chief Prentice E. Sanders conducted a full evidentiary hearing in the discipline matters of OCC file number 0861-96.

As a result of this hearing, I have concurred with Assistant Chief Sanders' recommendation that all charges against each of the members be dismissed and the matter be classified as Proper Conduct."

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Commissioner Herrera congratulated Command Staff appointments of Deputy Chief John Portoni and Commander Rick Bruce.

CHIEF'S ANNOUNCEMENTS AND REVIEW OF RECENT DEPARTMENT EVENTS

Chief Lau discussed training exercise described in the Chronicle, regarding Muni bus.

OCC DIRECTOR'S REPORT RE: STAFFING AND BUDGET AND SUMMARY OF RECENT EVENTS

and

PRESENTATION OF OCC'S 1999 ANNUAL REPORT AND OCTOBER & NOVEMBER 1999 STATISTICAL REPORTS

Director Mary Dunlap presented Annual Report and statistical reports for October and November, 1999.

Commissioner Herrera discussed status of policy recommendations.

STATUS REPORT RE: "ROLL CALL" TRAINING

Captain Dan Lawson updated the Commission regarding training.
Sergeant Vince Catanzaro presented Roll Call Training sample. Training to begin July 5th.

PUBLIC COMMENTS

Daniel Paez discussed concerns regarding pedestrian safety and complaint filed with OCC.

Thereafter, meeting was adjourned at 6:15 p.m.

Lieutenant Manuel Barretta
Secretary
THE POLICE COMMISSION

The Police Commission

CITY AND COUNTY OF SAN FRANCISCO

DENNIS HERRERA
President

SIDNEY CHAN
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ANGELO QUARANTA
Commissioner

LT. MANUEL BARRETTA
Secretary

SAN FRANCISCO POLICE COMMISSION AGENDA

REGULAR MEETING
WEDNESDAY, JUNE 7, 2000
5:30 p.m.

Thomas J. Cahill Hall of Justice
850 Bryant Street, Room 551
San Francisco, California

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1. Pledge of Allegiance

2. Roll Call

3. Approval of Minutes: Meetings of January 5, 19, 26, 2000 and February 16, 2000

4. Police Commission Announcements
   a. Motion of Calendaring of New Items

5. Chief's Announcements and Review of Recent Department Events

6 OCC Director's Report re: Staffing and Budget and Summary of Recent Events

7. Request of the Chief of Police for Authorization to Apply for Retroactively, Accept, and Expend Funds from the California Office of Criminal Justice Planning to Implement the James Denman Middle School Safety Program

8. Public Comments
   (Members of the public may address the Commission on items that are within the subject matter jurisdiction of the Police Commission that do not appear on the agenda.)

9. Hearing and Disposition of Disciplinary Charges filed against Officer Lawrence F. McDevitt, Park (File Nos. C97-295 JWA & C98-198 JWA)

**There will be Public Comments on any item before or during discussion of each item.*

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San Francisco Police Department

SF
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1/7/00

The Police Commission of the City and County of San Francisco met in their chambers, Room 551, Thomas J. Cahill Hall of Justice, 850 Bryant Street, San Francisco, at 5:35 p.m., in a Regular Meeting.

PRESENT: Commissioners Herrera, Chan, Perry, Friday, Quaranta

APPROVAL OF MINUTES: MEETINGS OF JANUARY 5, 19, 26, 2000, AND FEBRUARY 15, 2000

Approved 5-0.

POLICE COMMISSION ANNOUNCEMENTS

a. Motion of Calendaring of New Items

None

CHIEF'S ANNOUNCEMENTS AND REVIEW OF RECENT DEPARTMENT EVENTS

Deputy Chief Welch for Chief Lau. No report.

OCC DIRECTOR'S REPORT RE: STAFFING AND BUDGET AND SUMMARY OF RECENT EVENTS

No report.

RESOLUTION NO. 37-00

APPROVAL OF REQUEST OF THE CHIEF OF POLICE TO RETROACTIVELY APPLY FOR, ACCEPT, AND EXPEND FUNDS FROM THE CALIFORNIA OFFICE OF CRIMINAL JUSTICE PLANNING (OCJP) TO IMPLEMENT THE JAMES DENMAN MIDDLE SCHOOL SAFETY PROGRAM

RESOLVED, that the Police Commission hereby approves request of the Chief of Police to retroactively apply for, accept, and expend funds from the California Office of Criminal Justice Planning (OCJP) to implement the James Denman Middle School Safety Program, including any augmentations, extensions, and modifications.

AYES: Commissioners Herrera, Chan, Perry, Friday, Quaranta

PUBLIC COMMENTS

None.

HEARING OF OFFICER LAWRENCE F. McDEVITT, PARK (FILE NOS. C97-295 JWA & C98-198 JWA)

The hearing of Police Officer Lawrence F. McDevitt, Park, Star No. 1966, was called it having been set for this date. Officer McDevitt was charged, in properly verified complaints by Chief of Police Fred H. Lau of the San Francisco Police Department, with violating the Rules and Procedures as follows:

FILE NO. C97-295:

SPECIFICATION NO. 1

Engaging in conduct which subverts the good order, efficiency, and discipline of the department and which brings discredit on the department (violation of Rule 9

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of Department General Order 2.01 of the San Francisco Police Department);

FILE NO. C98-198

SPECIFICATION NO. 1
Engaging in conduct which subverts the good order, efficiency, and discipline of the department and which brings discredit on the department (violation of Rule 9 of Department General Order 2.01 of the San Francisco Police Department);

SPECIFICATION NO. 2
Failure to take action to protect life and property while off duty (violation of Rule 2 of Department General Order 2.01 of the San Francisco Police Department);

SPECIFICATION NO. 3
Engaging in conduct which subverts the good order, efficiency, and discipline of the department and which brings discredit on the department (violation of Rule 9 of Department General Order 2.01 of the San Francisco Police Department);

Officer Lawrence F. McDevitt appeared in person and was represented by Mr. James Collins, Attorney at Law.

Mr. Jerry W. Akins, Attorney at Law, appeared on behalf of the San Francisco Police Department.

The Department entered a motion to amend charges contained in File No. C98-198 filed against Officer McDevitt. The Commission approved motion to amend charges.

Officer McDevitt admitted to the specification contained in Specification No. 1 in File No. C97-295 and to the specifications contained in Specification Nos. 1, 2, and 3 of amended charges in File No. C98-198 JWA. Officer McDevitt personally affirmed the admission in these matters and accepts responsibility for his acts.

Based on Officer McDevitt's admission, the Commission requested a recommendation from Chief of Police Fred H. Lau. It is the recommendation of the Chief of Police that Officer Lawrence F. McDevitt be terminated, with termination held in abeyance for five (5) years on the following conditions: That Officer McDevitt be suspended for forty-five (45) days in connection with the first set of charges regarding DUI (JWA C98-198); that he be suspended for ninety (90) days (30 days on each specification) regarding the burning of his boat (JWA C98-190); that he not engage in any serious acts of misconduct; that he participate in the Department's General Order 11.11 monitoring program with the Commanding Officer of the Staff Services Division for five (5) years, including providing documentary confirmation of treatment and programs regarding alcohol abuse he has participated in since this incident; and, that Officer McDevitt be given credit against the 135 days of suspension for the time he was on interim suspension and personal leave in file no. C98-198.

The Commission took the matter under submission and the following resolution was adopted:

RESOLUTION NO. 38-00

DECISION-HEARING OF OFFICER LAWRENCE F. McDEVITT, PARK (FILE NOS. C97-295 JWA & C98-198 JWA)

WHEREAS, on January 9, 1998, Fred H. Lau, Chief of Police of the San Francisco Police Department, made and served amended charges against Officer Lawrence F. McDevitt, as follows:

SPECIFICATION NO. 1

Engaging in conduct which subverts the good order, efficiency, and discipline of the department and which brings discredit on the department (violation of Rule 9 of Department General Order 2.01 of the San Francisco Police Department);

(1) At all times herein mentioned Lawrence F. McDevitt, Star Number 1966, (referred to as "the accused") was a police officer employed by the San Francisco Police Department assigned to the Field Operations Bureau, Park Police District;

(2) As a member of the department, the accused was and is responsible for knowing and obeying the rules, orders, and procedures of the San Francisco Police Department;

(3) On August 7, 1997, at 0210 hours, as the accused drove a motor vehicle southbound on U.S. Highway 101 near the North Tower on the Golden Gate Bridge, from Marin County to San Francisco City and County, a California Highway Patrol state traffic officer (CHP) observed that the accused's automobile was weaving and traveling slowly on the bridge;

(4) As the accused drove southbound on U.S. Highway 101 on the Golden Gate Bridge, the CHP officer followed the accused. The CHP officer observed the accused continue weaving in his traffic lane, almost striking the bridge railing on one side and crossing the traffic lane dividers into the next lane on the other side. The CHP officer effected a traffic stop of the accused on southbound U.S. Highway 101 just North of the Golden Gate Bridge Toll Plaza. The accused failed to successfully complete the roadside sobriety tests administered after the stop. The accused submitted to a preliminary alcohol screening test at 0213 hours which indicated his blood contained .190% of alcohol;

(5) The CHP officer arrested the accused on August 7, 1997, at 0215 hours. After the accused was arrested, the arresting officer admonished the accused that the implied consent law set forth in California Vehicle Code §23157 required him to submit to his choice of a blood, a breath, or urine test. The accused refused to submit to any test. The accused was transported to, and booked into, the Marin County Jail;

(6) On August 7, 1997, after the accused was arrested, an investigator from the Management Control Division went to the Marin County Sail where he ordered the accused to submit a urine sample. The accused complied with the order and provided a urine sample at approximately 0415 hours on August 7, 1997. The urine sample was carried to a certified laboratory and tested at .22% of alcohol in the blood by weight (which equates to .170% after adjustment per the California Administrative Code);

(7) California Vehicle Code §§ 23152(a) and (b), states:

"§23152. DRIVING UNDER THE INFLUENCE.
(a) It is unlawful for any person while under the influence of any alcoholic beverage or drug, or under the combine influence of any alcoholic beverage and drug, to drive a vehicle.

(b) It is unlawful for any person while having 0.08 percent or more, by weight, of alcohol in his or her blood to drive a vehicle."

(8) The accused, by driving a motor vehicle under the influence of alcoholic beverages and driving an automobile with more than 0.08 percent of alcohol by weight in his blood, engaged in conduct which, in a criminal context, violates California Vehicle Code §23152(a) and (b). The accused, by refusing to be tested for the presence of alcohol in his blood after being arrested for violation of California Vehicle Code §23152(a), also engaged

in conduct which, in a criminal context, violates California Vehicle Code §23157; any reasonable police officer must know that such conduct violates the standards of the department and is cause for discipline or dismissal from employment; therefore, such conduct violates Rule 9 of Department General Order 2.01, which states:

"MISCONDUCT. Any breach of the peace, neglect of duty, misconduct or any conduct on the part of an officer either within or without the State that tends to subvert the order, efficiency or discipline of the Department, or reflects discredit upon the Department or any member, or is prejudicial to the efficiency and discipline of the Department, though not specifically defined or set forth in Department policies and procedures, shall be considered unofficer-like conduct subject to disciplinary action."

AMENDED CHARGES - FILE NO. C98-198 JWA

SPECIFICATION NO. 1

Engaging in conduct which subverts the good order, efficiency, and discipline of the department and which brings discredit on the department (violation of Rule 9 of Department General Order 2.01 of the San Francisco Police Department);

(1) At all times herein mentioned Lawrence F. McDevitt, Star Number 1966, (referred to as "the accused") was a police officer, employed by the San Francisco Police Department assigned to the Field Operations Bureau, Park Police District;

(2) As a member of the department, the accused was and is responsible for knowing and obeying the rules, orders, and procedures of the San Francisco Police Department;

(3) On June 15, 1998, at 0200 hours, fire destroyed a 28 foot Bayliner motorboat belonging to the accused and moored a the boating facility owned by the City and County of San Francisco, located at and generally known as Gas House Cove in the City and County of San Francisco;

(4) In the morning of June 13, 1998, the accused drove to Monterey, California, and checked into a motel which he booked for two nights. The accused stayed overnight on June 13, 1998, and spent the day of June 14, 1998 in the Monterey area. During the evening hours of June 14, 1998, the accused drove from Monterey to San Francisco;

(5) In the early morning hours of June 15, 1998, the accused drove to the vicinity of the Safeway Store located at Buchanan Street and Marina Boulevard, where he parked his car on the street. The accused then walked across Marina Boulevard to the entrance to the marina at Gas House Cove. The accused went to the berth where his boat was moored. After some time on the boat, the accused ignited an open flame which caused the boat to explode into fire, burning the accused's face and hands;

(6) The accused fled from the boat, left the marina, ran through the parking lot to his vehicle which was parked on the street. The accused walked past a public telephone, a firebox, and a police call box. The accused then drove from the marina area. The accused did not report the fire on his boat using any of these available devices and never did make a report of the fire on his boat;

(7) In addition to the almost total destruction of his boat, three other boats moored near his boat were extensively damaged by the fire which started on his boat. Fire investigators estimated the loss at more than $100,000;

(8) On June 15, 1998, at 2230 hours, the accused checked into the California

Pacific Medical Group emergency room in San Francisco for treatment of the burns to his face and hands. At 2350 hour, the accused was transferred to the Saint Francis Memorial Hospital for treatment of the burns he sustained;

(9) In the admission papers to the emergency room and the treatment facility, the accused informed medical personnel that he suffered the burns at Baker Beach at about 1130 hours when he threw denatured alcohol on a barbeque fire he had started, that the alcohol exploded and caused the burns to his body;

(10) On June 15, 1998, San Francisco Fire Department investigators started an investigation of the fire to determine where it started and if possible, pinpoint the cause of the fire. Their initial observations were that the fire started on the accused's boat and spread to the other three boats. The initial conclusion was that the fire caused by "open flame ignition of flammable vapors" while the accused was on board;

(11) The fire investigators attempted to contact the accused to interview him. One of the investigators left a number where he could be reached and requested the accused to call him. On June 17, 1998, the accused called one of the investigators. In the conversation, the accused said he had not been down to see the boat yet, that he had spent the weekend in Monterey, and that one of his friends told him about the fire on his boat. The accused said he received the burns to his face and hands on June 15, 1998, in the afternoon, when he threw grain alcohol on the barbeque he was trying to start at Baker Beach;

(12) On June 18, 1998, at 1115 hours, the accused was interviewed in person by an investigator from the San Francisco Fire Department and an investigator from the San Francisco Police Department. During that interview, the accused stated that he had gone to his boat when he returned from Monterey and that he had lighted a cigar while he was on the boat. The boat exploded into flames, burning his hands and face. He heard sirens, he panicked, and he ran away from the marina to his car. The burns became so painful that evening that he sought treatment at the hospital;

(13) The accused's boat was removed from the marina and an investigator from the United States Department of the Treasury, Bureau of Alcohol, Tobacco and Firearms, conducted a detailed examination of the accused's boat and considered the evidence gathered by other investigators. This investigation concluded that, the fire on the accused's boat "was the result of ignition of flammable vapors when the owner of the vessel ignited an open flame." The report also concluded that "the only plausible explanation of the fuel source is the spilling or pouring of gasoline inside the main body of the vessel aft of the cabin" resulting in fire when the accused ignited an open flame;

(14) California Penal Code §415(d) defines arson as follows:

"§451. Arson of structure, forest land or property, great bodily injury; inhabited structure or property; owned property; punishment

A person is guilty of arson when he or she willfully and maliciously sets fire to or burns or causes to be burned or who aids, counsels, or procures the burning of, any structure, forest land, or property.

...

(d) Arson of property is a felony punishable by imprisonment in the state prison for 16 months, two, or three years. For purposes of this

paragraph, arson of property does not included one burning or causing to be burned his or her own personal property unless there is an intent to defraud or there is injury to another person or another person's structure, forest land, or property."

(15) The accused engaged in conduct which, in a criminal context, violates the California Penal Code § 415(d), arson, by setting a fire on his boat under the conditions set forth above; any reasonable police officer must know that such conduct violates the standards of the department and is cause for discipline or dismissal from employment; such conduct violates Rule 9 of Department General Order 2.01, which states:

"MISCONDUCT. Any breach of the peace, neglect of duty, misconduct or any conduct on the part of an officer either within or without the State that tends to subvert the order, efficiency, or discipline of the Department, or reflects discredit upon the Department or any member, or is prejudicial to the efficiency and discipline of the Department, though not specifically defined or set forth in Department policies and procedures, shall be considered unofficer-like conduct subject to disciplinary action."

SPECIFICATION NO. 2
Failure to take action to protect life and property while off duty (violation of Rule 2 of Department General Order 2.01 of the San Francisco Police Department);

(16) Paragraphs 1 through 13 of Specification No. 1, above, are realleged as though set forth in full;

(17) The accused, after igniting the fire on his boat, ran from the area, and did not report the fire even though as he left the marina where the fire started he walked past a public telephone, a fire box, and a police call box containing a telephone. There were many other boats moored in the marina, many of the boats were occupied by people;

(18) The accused, by igniting a fire on his boat and then running from the marina and leaving the area without calling for emergency services to respond to the scene to preserve property and protect life from the fire, engaged in conduct which violates Rule 2 of Department General Order 2.01, which states:

"OFF-DUTY RESPONSIBILITY. While off duty, officers shall take all reasonable steps to prevent crime, detect and arrest offenders, and protect life and property, consistent with their ability to take proper action."

SPECIFICATION NO. 3
Engaging in conduct which subverts the good order, efficiency, and discipline of the department and which brings discredit on the department (violation of Rule 9 of Department General Order 2.01 of the San Francisco Police Department);

(19) Paragraphs 1 through 13 of Specification No. 1, above, are realleged as though set forth in full;

(20) The accused drove a motor vehicle from San Francisco to Monterey, California on June 13, 1998. The accused also drove a motor vehicle from Monterey, California to San Francisco, California, on June 14, 1998. After the fire on June 15, 1998, the accused drove an automobile from his parking place near Safeway Store in the area of the Gas House Cove marina;

(21) The accused's California Drivers License was suspended on April 11, 1998, and was suspended when he drove his automobile on June 13, 14, and 15, 1998;

(22) The accused, by driving his automobile while the license was suspended engaged in conduct which, in a criminal context, violates California Vehicle Code 14601; any reasonable police officer must know that such conduct violates the standards of the department and is cause for discipline or dismissal from employment; such conduct violates Rule 9 of Department General Order 2.01, which states:

"MISCONDUCT. Any breach of the peace, neglect of duty, misconduct or any conduct on the part of an officer either within or without the State that tends to subvert the order, efficiency, or discipline of the Department, or reflects discredit upon the Department or any member, or is prejudicial to the efficiency and discipline of the Department, though not specifically defined or set forth in Department policies and procedures, shall be considered unofficer-like conduct subject to disciplinary action."

WHEREAS, a hearing on said charges was held before the Police Commission pursuant to Appendix A, Section A 8.343 of the Charter of the City and County of San Francisco on June 7, 2000 where the matter was submitted to the Police Commission for decision; and

WHEREAS, based on Officer Lawrence F. McDevitt's admission, the Commission finds the allegations contained in Specification No. 1 in File No. C97-295 and specifications contained in Specification Nos. 1, 2, and 3 of amended charges in File No. C98-198 JWA are sustained; and the Commission adopts the sustained specification as its findings in this matter; therefore be it

RESOLVED, that based on these findings, consistent with the Commission's duty to protect the health, safety, and general welfare of the citizens of the City and County of San Francisco and the public in general, and in order to promote efficiency and discipline in the San Francisco Police Department, the Police Commission orders the following discipline be imposed:

File No. C97-295 JWA:

SPECIFICATION NO. 1 - Sustained

File No. C98-198 JWA (Amended Charges):

SPECIFICATION NO. 1 - Sustained

SPECIFICATION NO. 2 - Sustained

SPECIFICATION NO. 3 - Sustained

That Officer Lawrence F. McDevitt be terminated, with termination held in abeyance for five (5) years on the following conditions: That Officer McDevitt be suspended for forty-five (45) days in connection with the first set of charges regarding DUI (JWA C98-198); that he be suspended for ninety (90) days (30 days on each specification) regarding the burning of his boat (JWA C98-190); that he not engage in any serious acts of misconduct; that he participate in the Department's General Order 11.11 monitoring program with the Commanding Officer of the Staff Services Division for five (5) years, including providing documentary confirmation of treatment and programs regarding alcohol abuse he has participated in since this incident; and, that Officer McDevitt be given credit against the 135 days of suspension for the time he was on interim suspension and personal leave in file no. C98-198.

If this decision is subject to review under Code of Civil Procedure section 1094.5, then the time and within which judicial review must be sought is governed by California Code of Civil Procedure, section 1094.6.

AYES: Commissioners Herrera, Chan, Norman, Perry, Friday

Thereafter, the meeting was adjourned at 5:45 p.m.

_____

Lieutenant Manuel Barretta
Secretary
THE POLICE COMMISSION

The Police Commission

CITY AND COUNTY OF SAN FRANCISCO

SF
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6/14/00
No Meeting

DENNIS HERRERA
President

SIDNEY CHAN
Vice President

CONNIE PERRY
Commissioner

WAYNE FRIDAY
Commissioner

ANGELO QUARANTA
Commissioner

LT. MANUEL BARRETTA
Secretary

CALENDAR OF PROCEEDINGS
POLICE COMMISSION MEETING

There will be no Police Commission Regular Meeting on ***Wednesday, June 14, 2000***. The next Police Commission Regular Meeting will be on **Wednesday, June 21, 2000**, 5:30 p.m., at Thomas J. Cahill Hall of Justice, 850 Bryant Street, San Francisco, Room 551.

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The Police Commission

CITY AND COUNTY OF SAN FRANCISCO

SAN FRANCISCO POLICE COMMISSION AGENDA

DENNIS HERRERA
President

SIDNEY CHAN
Vice President

CONNIE PERRY
Commissioner

WAYNE FRIDAY
Commissioner

ANGELO QUARANTA
Commissioner

LT. MANUEL BARRETTA
Secretary

REGULAR MEETING
WEDNESDAY, JUNE 21, 2000
5:30 p.m.

Thomas J. Cahill Hall of Justice
850 Bryant Street, Room 551
San Francisco, California

1. Pledge of Allegiance
2. Roll Call
3. Approval of Minutes: Meetings of March 1st, 8th, 15th and 22, 2000
4. Assignment of Commissioner and Setting of Date for Taking of Evidence on Disciplinary Charges filed against Sergeant Michael J. Gallegos, Southern (File No. C00-154 JWA)
5. Assignment of Commissioner and Setting of Date for Taking of Evidence on Disciplinary Charges filed against Sergeant Andrew Blackwell, Support Services (File No. C99-169 JWA)
6. Police Commission Announcements
   a. Motion of Calendaring of New Items
7. Discussion and Action re: Awards Committee Recommendations
8. Chief's Announcements and Review of Recent Department Events
9. OCC Director's Report re: Staffing and Budget and Summary of Recent Events
10. Status Report re: Community Policing
11. Public Comments
    (Members of the public may address the Commission on items that are within the subject matter jurisdiction of the Police Commission that do not appear on the agenda.)

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**There will be Public Comments on any item before or during discussion of each item.*

KNOW YOUR RIGHTS UNDER THE SUNSHINE ORDINANCE
(Chapter 67 of the San Francisco Administrative Code)

Government's duty is to serve the public, reaching its decisions in full view of the public.

Commissions, boards, councils and other agencies of the City and County exist to conduct the people's business. This ordinance assures that deliberations are conducted before the people and that City operations are open to the people's review.

FOR MORE INFORMATION ON YOUR RIGHTS UNDER THE SUNSHINE ORDINANCE OR TO REPORT VIOLATION OF THE ORDINANCE, CONTACT THE SUNSHINE ORDINANCE TASK FORCE: RACHEL ARNSTINE O'HARA, CLERK, CITY HALL, ROOM 362, 1 DR. CARLTON B. GOODLETT PLACE, SAN FRANCISCO, CA 94102-4683, OFFICE 415-554-6171, (FAX) 415-554-6177, (E-MAIL) Rachel_ArnstineO'Hara@ci.sf.ca.us Copies of the Sunshine Ordinance can be obtained from the Clerk of the Sunshine Task Force, the San Francisco Public Library, and on the City's website at www.ci.sf.ca.us/infoctr/sunshine

PUBLIC MEETING/HEARING
ACCESSIBILITY INFORMATION

\merican sign language interpreters will be available upon request. Please contact Sgt. Michael Sullivan, at 553 1343, at least 72 hours prior to a proceeding. Late requests will be honored if possible.

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- For information about the meeting call 553 1667 Voice, or 553 9194 TDD.

San Francisco Police Department

JUNE 21, 2000 **REGULAR MEETING**

The Police Commission of the City and County of San Francisco met in their chambers, Room 551, Thomas J. Cahill Hall of Justice, 850 Bryant Street, San Francisco, at 5:30 p.m., in a Regular Meeting.

PRESENT: Commissioners Herrera, Chan, Perry, Friday, Quaranta

APPROVAL OF MINUTES: MEETINGS OF MARCH 1, 8, 15, AND 22, 2000

Approved 5-0.

RESOLUTION NO. 39-00

ASSIGNMENT OF COMMISSIONER AND SETTING OF DATE FOR TAKING OF EVIDENCE ON DISCIPLINARY CHARGES FILED AGAINST SERGEANT MICHAEL J. GALLEGOS, SOUTHERN (FILE NO. C00-154 JWA)

WHEREAS, the assignment of a Commissioner and setting of a date to conduct taking of evidence in disciplinary charges filed against Sergeant Michael J. Gallegos, Star No. 1561, Southern, was called it having been set for this date; and

WHEREAS, Commissioner Dennis Herrera is hereby assigned to conduct taking of evidence in the disciplinary charges filed against Sergeant Gallegos; therefore be it

RESOLVED, that Commissioner Dennis Herrera is hereby assigned to conduct taking of evidence in the disciplinary charges filed against Sergeant Michael J. Gallegos, and is to be set at a later date.

AYES: Commissioners Herrera, Chan, Perry, Friday, Quaranta

RESOLUTION NO. 40-00

ASSIGNMENT OF COMMISSIONER AND SETTING OF DATE FOR TAKING OF EVIDENCE ON DISCIPLINARY CHARGES FILED AGAINST SERGEANT ANDREW BLACKWELL, SUPPORT SERVICES (FILE NO. C99-169 JWA)

WHEREAS, the assignment of a Commissioner and setting of a date to conduct taking of evidence in disciplinary charges filed against Sergeant Andrew Blackwell, Star No. 300, Support Services, was called it having been set for this date; and

WHEREAS, Commissioner Angelo Quaranta is hereby assigned to conduct taking of evidence in the disciplinary charges filed against Sergeant Andrew Blackwell; therefore be it

RESOLVED, that Commissioner Angelo Quaranta is hereby assigned to conduct taking of evidence in the disciplinary charges filed against Sergeant Andrew Blackwell, and is to be set at a later date.

AYES: Commissioners Herrera, Chan, Perry, Friday, Quaranta

POLICE COMMISSION ANNOUNCEMENTS

a. Motion of Calendaring of New Items

No Awards Ceremony next week but will have Regular Meeting.

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DISCUSSION AND ACTION RE: AWARDS COMMITTEE RECOMMENDATION

Put over one week to June 28, 2000

STATUS REPORT RE: COMMUNITY POLICING

Taken out of order. Put over one week to June 28, 2000

CHIEF'S ANNOUNCEMENTS AND REVIEW OF RECENT DEPARTMENT EVENTS

Chief Sanders talked about status of budget.

Commissioner Friday asked for report on staffing and recruitment to be calendared next week.

Commissioner Perry asked regarding Cadet Program.

OCC DIRECTOR'S REPORT RE: STAFFING AND BUDGET AND SUMMARY OF RECENT EVENTS

Director Mary Dunlap stated no report and that she's working on budget and discussed radio budget.

PUBLIC COMMENTS

Bruce Kapsack, Attorney at Law, discussed Board of Supervisors Resolution regarding Garcia investigation and asked for further information regarding decision.

Cornelius Hall discussed Garcia case.

Sylvia Alvery Lynch discussed concerns regarding Garcia matter.

Patricia Tullec discussed concerns regarding Garcia matter.

Andre, October 22nd Coalition, discussed concerns.

Gary Wood discussed concerns regarding Garcia matter.

Andrea Pretchard, Cop Watch, discussed concerns regarding Garcia matter.

Jeremy Graham discussed concerns regarding Garcia matter.

Unidentified discussed Garcia matter.

Unidentified commends police.

Daniello, Cop Watch, discussed concerns regarding Garcia matter.

Tanya White commends police.

Van Jones, Ella Baker Center, discussed concerns regarding Garcia matter.

Daniel Garcia discussed concerns regarding Garcia matter and Board of Supervisors resolution, and concerns regarding AFL-CIO.

Thereafter, the meeting was adjourned at 6:25 p.m.

_____

Lieutenant Manuel Barretta
Secretary
THE POLICE COMMISSION

1137/rc

The Police Commission

CITY AND COUNTY OF SAN FRANCISCO

SAN FRANCISCO POLICE COMMISSION AGENDA

DENNIS HERRERA
President

SIDNEY CHAN
Vice President

CONNIE PERRY
Commissioner

WAYNE FRIDAY
Commissioner

ANGELO QUARANTA
Commissioner

LT. MANUEL BARRETTA
Secretary

REGULAR MEETING
WEDNESDAY, JUNE 28, 2000
5:30 p.m.

Thomas J. Cahill Hall of Justice
850 Bryant Street, Room 551
San Francisco, California

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Fax 6/23/00

1. Pledge of Allegiance
2. Roll Call
3. Approval of Minutes: Meetings of April 5th, 12th, and 19, 2000
4. Police Commission Announcements
   a. Motion of Calendaring of New Items
5. Discussion and Action re: Awards Committee Recommendations
6. Chief's Announcements and Review of Recent Department Events
7. OCC Director's Report re: Staffing and Budget and Summary of Recent Events
8. Status Report re: Community Policing
9. Status Report re: Department Staffing and Cadet Program
10. Public Comments
    (Members of the public may address the Commission on items that are within the subject matter jurisdiction of the Police Commission that do not appear on the agenda.)

**There will be Public Comments on any item before or during discussion of each item.*

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San Francisco Police Department

JUNE 28, 2000 **REGULAR MEETING**

The Police Commission of the City and county of San Francisco met in their chambers, Room 551, Thomas J. Cahill Hall of Justice, 850 Bryant Street, San Francisco, at 5:30 p.m., in a Regular Meeting.

PRESENT: Commissioners Herrera, Chan, Perry, Friday, Quaranta

APPROVAL OF MINUTES: MEETINGS OF APRIL 5, 12, AND 19, 2000

Approved 5-0.

POLICE COMMISSION ANNOUNCEMENTS

a. Motion of Calendaring of New Items

No meeting on the July 5th. Next meeting will be on July 12th.

CHIEF'S ANNOUNCEMENTS AND REVIEW OF RECENT DEPARTMENT EVENTS

Chief Lau stated the budget was approved and passed through the finance committee.

OCC DIRECTOR'S REPORT RE: STAFFING AND BUDGET AND SUMMARY OF RECENT EVENTS

Director Dunlap stated budget was approved by finance committee.

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STATUS REPORT RE: COMMUNITY POLICING

Commander Richard Bruce updated the Commission regarding Community Policing and plans for improving same.

Commissioner Herrera asked for quarterly report as benchmark of status. Commissioner Herrera also asked for mandatory report from district captains regarding pedestrian and traffic safety.

STATUS REPORT RE: DEPARTMENT STAFFING AND CADET PROGRAM

Captain Antonio Parra, Staff Services, presented staffing report.
Commissioner Friday regarding full staffing.

PUBLIC COMMENTS re: Department Staffing and Cadet Program

Bob Planthold, Senior Action Network, invited the Commission to Community Policing Forum on July 13th.

Julie Gonzalez, Examination Unit, presented Cadet Program.

PUBLIC COMMENT:

Bob Planthold discussed training of middle management and discussed action of officers on June 14th.

Thereafter, the meeting was adjourned at 6:35 p.m.

_____
Lieutenant Manuel Barretta
Secretary
THE POLICE COMMISSION

JULY 11, 2000 SPECIAL MEETING

The Public Safety Advisory Committee of the San Francisco Housing Authority Commission and the San Francisco Police Commission Public Housing Safety Committee held a joint committee meeting on Tuesday, July 11, 2000, at 4:00 p.m., at the Housing Authority, 440 Turk Street, San Francisco.

DISCUSSION REGARDING PUBLIC SAFETY IN PUBLIC HOUSING DEVELOPMENTS AND COORDINATION BETWEEN THE SAN FRANCISCO POLICE DEPARTMENT AND THE SAN FRANCISCO HOUSING AUTHORITY

Commissioner Herrera addressed the audience regarding working with the Housing Commission and asked to meet quarterly.

Commissioner Perry discussed having a meeting on side at the U.S. Commission headquarters.

Ronnie Davis described activities presently ongoing in housing developments.

Commander Bruce discussed overall policing in housing.

Captain Roth stated policing presently in the Bayview District.

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PUBLIC COMMENTS

Joyce Kennedy, Potrero Hill Housing resident, asked for more patrol in the area.

Vera Kennedy, Hunters Point resident, discussed police harassment and crime in area and traffic concerns.

Eddy Cattrell, resident, discussed concerns regarding people who don't live in housing.

Jackie Sacks, Richmond District resident, asked for more patrol.

Richard Carrol discussed parking concerns.

Ms. Spencer discussed speed bumps and traffic problems.

Hillary Yancie, Potrero Hill resident, discussed traffic concerns.

Nadia Boyd, Employee Manager Housing Development, asked for more patrol, extend substation hours, ticket and tow cars, loitering, and timely reporting of incident.

Mrs. Barnes discussed loitering and trespassing in housing developments.

Thereafter, the meeting was adjourned.

_____

Lieutenant Manuel Barretta
Secretary
THE POLICE COMMISSION

1137/rc

SF
P45
#1
7/5/00
(CANCELLED)

The Police Commission

CITY AND COUNTY OF SAN FRANCISCO

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SIDNEY CHAN
Vice President

CONNIE PERRY
Commissioner

WAYNE FRIDAY
Commissioner

ANGELO QUARANTA
Commissioner

LT. MANUEL BARRETTA
Secretary

CALENDAR OF PROCEEDINGS
POLICE COMMISSION MEETING

There will be no Police Commission Regular Meeting on ***Wednesday, July 5, 2000***. The next Police Commission Regular Meeting will be on **Wednesday, July 12, 2000**, 5:30 p.m., at Thomas J. Cahill Hall of Justice, 850 Bryant Street, San Francisco, Room 551.

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ANGELO QUARANTA
Commissioner

LT. MANUEL BARRETTA
Secretary

SAN FRANCISCO POLICE COMMISSION AGENDA

REGULAR MEETING
WEDNESDAY, JULY 12, 2000
5:30 p.m.

Thomas J. Cahill Hall of Justice
850 Bryant Street, Room 551
San Francisco, California

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1. Pledge of Allegiance
2. Roll Call
3. Approval of Consent Calendar
4. Approval of Minutes: Meetings of May 3rd, 17th, 24th, 31st, and June 7, 2000
5. Police Commission Announcements
   a. Motion of Calendaring of New Items
6. Discussion and Action re: Awards Committee Recommendations
7. Chief's Announcements and Review of Recent Department Events
8. Presentation of Goals and Objectives of the San Francisco Police Department
9. OCC Director's Report re: Staffing and Budget and Summary of Recent Events
10. Request of the Chief of Police for Authorization to Apply for Retroactively, Accept, and Expend Funds from the California Office of Criminal Justice Planning to Implement the California DNA Consortium Program
11. Request of the Chief of Police for Authorization to Apply for Retroactively, Accept, and Expend Funds from the California Department of Alcohol Beverage Control to Implement the "2000-2001 Grant Assistance to Local Law Enforcement Agencies Project"

The Police Commission

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SAN FRANCISCO POLICE COMMISSION AGENDA

REGULAR MEETING
WEDNESDAY, JULY 12, 2000
5:30 p.m.

Thomas J. Cahill Hall of Justice
850 Bryant Street, Room 551
San Francisco, California

12. Public Comments
(Members of the public may address the Commission on items that are within the subject matter jurisdiction of the Police Commission that do not appear on the agenda.)

13. Hearing and Disposition on the Appeal of the Chief's Suspension of Officer Jennifer Marino, Ingleside (File No. D97-259 DMC)

CONSENT CALENDAR

1. Request of the Chief of Police for Approval to Accept Donation of a 2nd Hewlett Packard Computer from the firm of Goodby, Silverstein and Partners for use of the Bayview Station

**There will be Public Comments on any item before or during discussion of each item.*

KNOW YOUR RIGHTS UNDER THE SUNSHINE ORDINANCE
(Chapter 67 of the San Francisco Administrative Code)

Government's duty is to serve the public, reaching its decisions in full view of the public.

Commissions, boards, councils and other agencies of the City and County exist to conduct the people's business. This ordinance assures that deliberations are conducted before the people and that City operations are open to the peoples review.

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PUBLIC MEETING/HEARING
ACCESSIBILITY INFORMATION

nerican sign language interpreters will be available upon request. Please contact Sgt. Michael Sullivan, at 553 1343, at least 72 hours prior to a proceeding. Late requests will be honored if possible.

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The proceeding will be held at 850 Bryant St. Room 551. The closest accessible BART station is at 5th and Market St. Accessible MUNI lines serving this location are 42 and 9X San Bruno Express.

For information about MUNI service call 923 6142.

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Accessible seating for persons with disabilities and wheelchairs will be available.

- For information about the meeting call 553 1667 Voice, or 553 9194 TDD.

San Francisco Police Department

JULY 12, 2000 REGULAR MEETING

The Police Commission of the City and County of San Francisco met in their chambers, Room 551, Thomas J. Cahill Hall of Justice, 850 Bryant Street, San Francisco, at 5:35 p.m., in a Regular Meeting.

PRESENT: Commissioners Herrera, Chan, Perry, Quaranta
ABSENT: Commissioner Friday

APPROVAL OF CONSENT CALENDAR

RESOLUTION NO. 43-00

APPROVAL OF REQUEST OF THE CHIEF OF POLICE TO ACCEPT DONATION OF A SECOND HEWLETT PACKARD COMPUTER FROM THE FIRM OF GOODBY, SILVERSTEIN AND PARTNERS FOR USE OF THE BAYVIEW STATION

RESOLVED, that the Police Commission hereby approves request of the Chief of Police to accept donation of a 2nd Hewlett Packard Computer from the firm of Goodby, Silverstein and Partners for use of the Bayview Station. Donation valued at approximately $1100.00.

AYES: Commissioners Herrera, Chan, Perry, Quaranta
ABSENT: Commissioner Friday

APPROVAL OF MINUTES: MEETINGS OF MAY 3, 17, 24, 31, AND JUNE 7, 2000

Approved 4-0.

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POLICE COMMISSION ANNOUNCEMENTS

a. **Motion of Calendaring of New Items**

Commissioner Herrera stated that he and Commissioner Perry attended the advisory meeting with the Housing Authority regarding issues of concern on public safety in housing facilities. He stated meetings will be scheduled each quarter.

Commissioner Herrera asked the Chief regarding Racial Profiling update.

DISCUSSION AND ACTION RE: AWARDS COMMITTEE RECOMMENDATIONS

Taken off calendar.

CHIEF'S ANNOUNCEMENTS AND REVIEW OF RECENT DEPARTMENT EVENTS

Chief Lau stated July 4th celebrations went well. The Chief also advised the Commission regarding the death of Officer Tom Kracke and asked the meeting be adjourned in his memory.

PRESENTATION OF GOALS AND OBJECTIVES OF THE SAN FRANCISCO POLICE DEPARTMENT

Chief Lau presented update.

OCC DIRECTOR'S REPORT RE: STAFFING AND BUDGET AND SUMMARY OF RECENT EVENTS

Jean Field for Director Mary Dunlap introduced new attorney Samara Maron.

RESOLUTION NO. 41-00

APPROVAL OF REQUEST OF THE CHIEF OF POLICE TO RETROACTIVELY APPLY FOR, ACCEPT, AND EXPEND FUNDS FROM THE CALIFORNIA OFFICE OF CRIMINAL JUSTICE PLANNING (OCJP) TO IMPLEMENT THE CALIFORNIA DNA CONSORTIUM PROGRAM

RESOLVED, that the Police Commission hereby approves request of the Chief of Police to retroactively apply for, accept, and expend funds from the California Office of Criminal Justice Planning (OCJP) to implement the California DNA Consortium Program, including any augmentations, extensions, and modifications.

AYES: Commissioners Herrera, Chan, Perry, Quaranta
ABSENT: Commissioner Friday

RESOLUTION NO. 42-00

APPROVAL OF REQUEST OF THE CHIEF OF POLICE TO RETROACTIVELY APPLY FOR, ACCEPT, AND EXPEND FUNDS FROM THE CALIFORNIA DEPARTMENT OF ALCOHOL BEVERAGE CONTROL TO IMPLEMENT THE "2000-2001 GRANT ASSISTANCE TO LOCAL LAW ENFORCEMENT AGENCIES PROJECT"

RESOLVED, that the Police Commission hereby approves request of the Chief of Police to retroactively apply for, accept, and expend funds from the California Department of Alcohol Beverage Control to implement the "2000-2001 Grant Assistance to Local Law Enforcement Agencies Project," including any augmentations, extensions, and modifications.

AYES: Commissioners Herrera, Chan, Perry, Quaranta
ABSENT: Commissioner Friday

PUBLIC COMMENTS

None.

A moment of silence was observed and regular meeting was adjourned in memory of Officer Tom Kracke.

HEARING ON APPEAL OF THE CHIEF'S SUSPENSION IMPOSED ON OFFICER JENNIFER MARINO, INGLESIDE (FILE NO. D97-259 DMC)

The hearing of the appeal of the Chief's suspension imposed on Officer Jennifer Marino, Star No. 1844, was called, it having been set for this date.

Sergeant Daniel Curiel, Attorney at Law, appeared on behalf of the San Francisco Police Department.

Closing arguments were made by Sergeant Curiel and Ms. Mahoney.

The Commission took the matter under submission, recessed, and returned, and the following resolution was adopted:

RESOLUTION NO. 44-00

DECISION - HEARING ON THE APPEAL OF THE CHIEF'S SUSPENSION IMPOSED ON OFFICER JENNIFER MARINO,

WHEREAS, a hearing on said appeal was held before the Police Commission pursuant to Section 8.343 of the Charter of the City and County of San Francisco on Wednesday, April 12, 2000, and on Wednesday, July 12, 2000, the matter was submitted to the Police Commission for decision; and

WHEREAS, the Commission finds that the Chief's suspension imposed on Officer Jennifer Marino was sustained by a preponderance of evidence presented; therefore be it

RESOLVED, that it is the findings and decision of the Commission that the Chief's suspension of five (5) days held in abeyance for one (1) year imposed on Officer Jennifer Marino be, and the same is hereby sustained.

AYES: Commissioners Herrera, Chan, Perry, Quaranta
ABSENT: Commissioner Friday

Recess taken during the hearing of Officer Jennifer Marino:

6:35 p.m. to 6:45 p.m.

Thereafter, the meeting was adjourned.

_____

Lieutenant Manuel Barretta
Secretary
THE POLICE COMMISSION

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SAN FRANCISCO POLICE COMMISSION AGENDA

REGULAR MEETING
WEDNESDAY, JULY 19, 2000
5:30 p.m.

Thomas J. Cahill Hall of Justice
850 Bryant Street, Room 551
San Francisco, California

1. Pledge of Allegiance

2. Roll Call

3. Assignment of Commissioner and Setting of Date for Taking of Evidence on Disciplinary Charges filed against Officer Chris J. Greenman, TTF (File No. C00-210 JWA)

4. Police Commission Announcements
   a. Motion of Calendaring of New Items

5. Chief's Announcements and Review of Recent Department Events

6. Presentation of Funds from the California Law Enforcement Technical Equipment Program by Ms. Gina Papan, Deputy Director of Governor's Office of Criminal Justice Planning, to the San Francisco Police Department

7. OCC Director's Report re: Staffing and Budget and Summary of Recent Events

8. Discussion and Action re: Transfer of Patrol Beat No. 53 from Patrol Special Officer Steven Russo to Assistant Patrol Special John Barry and Appointment of Assistant Patrol Special John Barry to full Patrol Special Officer

9. Public Comments
   (Members of the public may address the Commission on items that are within the subject matter jurisdiction of the Police Commission that do not appear on the agenda.)

**There will be Public Comments on any item before or during discussion of each item.*

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PUBLIC MEETING/HEARING
ACCESSIBILITY INFORMATION

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San Francisco Police Department

The Police Commission of the City and County of San Francisco met in their chambers, Room 551, Thomas J. Cahill Hall of Justice, 850 Bryant Street, San Francisco, at 5:40 p.m., in a Regular Meeting.

PRESENT: Commissioner Herrera, Chan, Perry, Friday, Quaranta

RESOLUTION NO. 45-00

ASSIGNMENT OF COMMISSIONER AND SETTING OF DATE FOR TAKING OF EVIDENCE ON DISCIPLINARY CHARGES FILED AGAINST OFFICER CHRIS J. GREENMAN, TTF (FILE NO. C00-210 JWA)

WHEREAS, the assignment of a Commissioner and setting of a date to conduct taking of evidence in disciplinary charges filed against Officer Chris J. Greenman, Star No. 974, Tenderloin Task Force, was called it having been set for this date; and

WHEREAS, Commissioner Sidney Chan is hereby assigned to conduct taking of evidence in the disciplinary charges filed against Officer Chris J. Greenman; therefore be it

RESOLVED, that Commissioner Sidney Chan is hereby assigned to conduct taking of evidence in the disciplinary charges filed against Officer Chris J. Greenman, and is to be set at a later date.

AYES: Commissioners Herrera, Chan, Perry, Friday, Quaranta

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POLICE COMMISSION ANNOUNCEMENTS

a. Motion of Calendaring of New Items

Commissioner Herrera stated he may be out of town next week. He also asked for update regarding OCC Policy Recommendations.

CHIEF'S ANNOUNCEMENTS AND REVIEW OF RECENT DEPARTMENT EVENTS

Captain Hettrich, Planning Division, updated the Commission regarding computer tracking, training and implementation.

PRESENTATION OF FUNDS FROM THE CALIFORNIA LAW ENFORCEMENT TECHNICAL EQUIPMENT PROGRAM BY MS. GINA PAPAN, DEPUTY DIRECTOR OF GOVERNOR'S OFFICE OF CRIMINAL JUSTICE PLANNING, TO THE SAN FRANCISCO POLICE DEPARTMENT

Put over one week.

OCC DIRECTOR'S REPORT RE: STAFFING AND BUDGET AND SUMMARY OF RECENT EVENTS

Director Dunlap stated there's a new admin person and stated OCC lost one investigator.

RESOLUTION NO. 46-00

APPROVAL OF TRANSFER OF PATROL BEAT NO. 53 FROM PATROL SPECIAL OFFICER STEVEN RUSSO TO ASSISTANT PATROL SPECIAL OFFICER JOHN BARRY

RESOLVED, that the Police Commission hereby approves transfer of

Patrol Beat No. 53 from Patrol Special Officer Steven Russo to Assistant Patrol Special Officer John Barry.

AYES: Commissioners Herrera, Chan, Perry, Friday, Quaranta

RESOLUTION NO. 47-00

APPOINTMENT OF ASSISTANT PATROL SPECIAL JOHN BARRY TO FULL PATROL SPECIAL OFFICER

RESOLVED, that Assistant Patrol Special John Barry, #2537, is hereby appointed to full Patrol Special Officer.

AYES: Commissioners Herrera, Chan, Perry, Friday, Quaranta

PUBLIC COMMENTS

None

Thereafter, the meeting was adjourned.

_____

Lieutenant Manuel Barretta
Secretary
THE POLICE COMMISSION

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Secretary

SAN FRANCISCO POLICE COMMISSION AGENDA

REGULAR MEETING
WEDNESDAY, JULY 26, 2000
5:30 p.m.

Thomas J. Cahill Hall of Justice
850 Bryant Street, Room 551
San Francisco, California

1. Pledge of Allegiance

2. Roll Call

3. Assignment of Commissioner and Setting of Date for Taking of Evidence on Additional Disciplinary Charges filed against Officer Chris J. Greenman, TTF (File No. C00-243 JWF)

4. Assignment of Commissioner and Setting of Date for Taking of Evidence on Disciplinary Charges filed against Officer Stevie Bacolot, Southern (File No. C00-244 JWF)

5. Police Commission Announcements
   a. Motion of Calendaring of New Items

6. Chief's Announcements and Review of Recent Department Events

7. Presentation of Funds from the California Law Enforcement Technical Equipment Program by Ms. Gina Papan, Deputy Director of Governor's Office of Criminal Justice Planning, to the San Francisco Police Department

8. OCC Director's Report re: Staffing and Budget and Summary of Recent Events

9. Public Comments
   (Members of the public may address the Commission on items that are within the subject matter jurisdiction of the Police Commission that do not appear on the agenda.)

**There will be Public Comments on any item before or during discussion of each item.*

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PUBLIC MEETING/HEARING
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- For information about the meeting call 553 1667 Voice, or 553 9194 TDD.

San Francisco Police Department

JULY 26, 2000 REGULAR MEETING

The Police Commission of the City and County of San Francisco met in their chambers, Room 551, Thomas J. Cahill Hall of Justice, 850 Bryant Street, San Francisco, at 5:30 p.m., in a Regular Meeting.

PRESENT: Commissioners Chan, Perry, Friday, Quaranta
ABSENT: Commissioner Herrera

RESOLUTION NO. 48-00

ASSIGNMENT OF COMMISSIONER AND SETTING OF DATE FOR TAKING OF EVIDENCE ON ADDITIONAL DISCIPLINARY CHARGES FILED AGAINST OFFICER CHRIS J. GREENMAN, TTF (FILE NO. C00-243 JWF)

WHEREAS, the assignment of a Commissioner and setting of a date to conduct taking of evidence on additional disciplinary charges filed against Officer Chris J. Greenman, Star No. 974, Tenderloin Task Force, was called it having been set for this date; and

WHEREAS, Commissioner Sidney Chan is hereby assigned to conduct taking of evidence in the disciplinary charges filed against Officer Chris J. Greenman; therefore be it

RESOLVED, that Commissioner Sidney Chan is hereby assigned to conduct taking of evidence in the disciplinary charges filed against Officer Chris J. Greenman, and is to be set at a later date.

AYES: Commissioners Chan, Perry, Friday, Quaranta
ABSENT: Commissioner Herrera

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RESOLUTION NO. 49-00

ASSIGNMENT OF COMMISSIONER AND SETTING OF DATE FOR TAKING OF EVIDENCE ON DISCIPLINARY CHARGES FILED AGAINST OFFICER STEVIE BACOLOT, SOUTHERN (FILE NO. C00-244 JWF

WHEREAS, the assignment of a Commissioner and setting of a date to conduct taking of evidence in disciplinary charges filed against Officer Stevie Bacolot, Star No. 1077, Southern, was called it having been set for this date; and

WHEREAS, Commissioner Sidney Chan is hereby assigned to conduct taking of evidence in the disciplinary charges filed against Officer Stevie Bacolot; therefore be it

RESOLVED, that Commissioner Sidney Chan is hereby assigned to conduct taking of evidence in the disciplinary charges filed against Officer Stevie Bacolot, and is to be set at a later date.

AYES: Commissioners Chan, Perry, Friday, Quaranta
ABSENT: Commissioner Herrera

POLICE COMMISSION ANNOUNCEMENTS

a. **Motion of Calendaring of New Items**

Commissioner Chan stated no meeting next week, August 2nd.

CHIEF'S ANNOUNCEMENTS AND REVIEW OF RECENT DEPARTMENT EVENTS

No report.

PRESENTATION OF FUNDS FROM THE CALIFORNIA LAW ENFORCEMENT TECHNICAL EQUIPMENT PROGRAM BY MS. GINA PAPAN, DEPUTY DIRECTOR OF GOVERNOR'S OFFICE OF CRIMINAL JUSTICE PLANNING, TO THE SAN FRANCISCO POLICE DEPARTMENT

Ms. Gina Papan, OCJP, presented check to Chief in the amount of $468,640.00.

OCC DIRECTOR'S REPORT RE: STAFFING AND BUDGET AND SUMMARY OF RECENT EVENTS

No report.

PUBLIC COMMENTS

Paul Gloss discussed concerns regarding transfer of Captain Ron Roth.
Joe Gallaread discussed concerns regarding transfer of Captain Roth.
Mack Phillips discussed concerns regarding transfer of Captain Roth.

Thereafter, the meeting was adjourned at 5:50 p.m.

Lieutenant Manuel Barretta
Secretary
THE POLICE COMMISSION

1137/rc

The Police Commission

CITY AND COUNTY OF SAN FRANCISCO

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LT. MANUEL BARRETTA
Secretary

CALENDAR OF PROCEEDINGS
POLICE COMMISSION MEETING

There will be no Police Commission Regular Meeting on ***Wednesday, August 2, 2000***. The next Police Commission Regular Meeting will be on **Wednesday, August 9, 2000**, 5:30 p.m., at Thomas J. Cahill Hall of Justice, 850 Bryant Street, San Francisco, Room 551.

07-28-00P12:46 RCVD

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ANGELO QUARANTA
Commissioner

LT. MANUEL BARRETTA
Secretary

SAN FRANCISCO POLICE COMMISSION AGENDA

REGULAR MEETING
WEDNESDAY, AUGUST 9, 2000
5:30 p.m.

Thomas J. Cahill Hall of Justice
850 Bryant Street, Room 551
San Francisco, California

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1. Pledge of Allegiance
2. Roll Call
3. Approval of Consent Calendar
4. Assignment of Commissioner and Setting of Date for Taking of Evidence on Disciplinary Charges filed against Officer David Rios, Park (File No. C00-237 JWA)
5. Police Commission Announcements
   a. Motion of Calendaring of New Items
6. Chief's Announcements and Review of Recent Department Events
7. OCC Director's Report re: Staffing and Budget and Summary of Recent Events
8. Discussion and Action re: Guidelines for the Use of Uniformed Personnel for Community Events
9. Discussion and Action re: Proposed Amendment of Administrative Code Section 2A.78 Police Inspectors
10. Public Comments
    (Members of the public may address the Commission on items that are within the subject matter jurisdiction of the Police Commission that do not appear on the agenda.)

CONSENT CALENDAR

1. Request of the Chief of Police to Accept donation of $5,000 from The Guardsmen for use of the San Francisco Police Department Wilderness Program

**There will be Public Comments on any item before or during discussion of each item.*

KNOW YOUR RIGHTS UNDER THE SUNSHINE ORDINANCE
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PUBLIC MEETING/HEARING
ACCESSIBILITY INFORMATION

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For information about MUNI service call 923 6142.

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- For information about the meeting call 553 1667 Voice, or 553 9194 TDD.

San Francisco Police Department

AUGUST 9, 2000 REGULAR MEETING

The Police Commission of the City and County of San Francisco met in their chambers, Room 551, Thomas J. Cahill Hall of Justice, 850 Bryant Street, San Francisco, at 5:40 p.m., in a Regular Meeting.

PRESENT: Commissioner Herrera, Perry, Friday, Quaranta
ABSENT: Commissioner Chan

APPROVAL OF CONSENT CALENDAR

RESOLUTION NO. 50-00

APPROVAL OF REQUEST OF THE CHIEF OF POLICE TO ACCEPT DONATION OF $5,000 FROM THE GUARDSMEN FOR USE OF THE SAN FRANCISCO POLICE DEPARTMENT WILDERNESS PROGRAM

RESOLVED, that the Police Commission hereby approves request of the Chief of Police to accept donation of $5,000 from The Guardsmen for use of the San Francisco Police Department Wilderness Program.

AYES: Commissioners Herrera, Perry, Friday, Quaranta
ABSENT: Commissioner Chan

RESOLUTION NO. 51-00

ASSIGNMENT OF COMMISSIONER AND SETTING OF DATE FOR TAKING OF EVIDENCE ON DISCIPLINARY CHARGES FILED AGAINST OFFICER DAVID RIOS, PARK (FILE NO. C00-237 JWA)

WHEREAS, the assignment of a Commissioner and setting of a date to conduct taking of evidence in disciplinary charges filed against Officer David Rios, Star No. 1953, Park, was called it having been set for this date; and

WHEREAS, Commissioner Wayne Friday is hereby assigned to conduct taking of evidence in the disciplinary charges filed against Officer David Rios; therefore be it

RESOLVED, that Commissioner Wayne Friday is hereby assigned to conduct taking of evidence in the disciplinary charges filed against Officer David Rios, and is to be set at a later date.

AYES: Commissioners Herrera, Perry, Friday, Quaranta
ABSENT: Commissioner Chan

POLICE COMMISSION ANNOUNCEMENTS

a. **Motion of Calendaring of New Items**

Commissioner Herrera will be out of town from August 19th through September 3rd.

CHIEF'S ANNOUNCEMENTS AND REVIEW OF RECENT DEPARTMENT EVENTS

Chief Sanders for Chief Lau. No report.

OCC DIRECTOR'S REPORT RE: STAFFING AND BUDGET AND SUMMARY OF RECENT EVENTS

No report.

RESOLUTION NO. 52-00

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APPROVAL OF GUIDELINES FOR THE USE OF UNIFORMED PERSONNEL FOR COMMUNITY EVENTS

RESOLVED, that the Police Commission approved the Guidelines for the Use of Uniformed Personnel for Community Events, which states:

"The San Francisco Police Commission encourages the Chief of the Department to promote community relations and confidence through the use of police personnel and organizations to attend and/or perform at community events within San Francisco and, to a limited extent, other law enforcement events outside the jurisdiction. The Commission believes that such participation fosters important bonds and increases trust between the Department and the citizens of San Francisco, as well as other law enforcement agencies throughout the Sate. However, the Police Commission is also mindful of the concerns of the citizens of San Francisco that the Department use its resources primarily to deploy sufficient amounts of personnel to ensure the safety and security of the public. To that end, the Commission sets forth the following guidelines for the use of uniformed personnel to attend and/or perform at community and law enforcement events.

When a request is made by an officer to participate in a community event, the request shall be forwarded to the Deputy Chief of the officer's Division.

The Deputy Chief shall determine if participation of police personnel is warranted and furthers the interests of the Department in furthering police-community relations. These events must be public events.

If the use of Department personnel is justified, the officer(s) shall be detailed to the event as part of their regular schedule. No officer shall be assigned to attend if it is necessary to pay that officer overtime unless the Chief of Police obtains prior approval of the Police Commission. Officers shall not be prohibited from and are encouraged to participate in community events on their own time without compensation."

AYES: Commissioners Herrera, Perry, Friday, Quaranta
ABSENT: Commissioner Chan

RESOLUTION NO. 53-00

APPROVAL OF PROPOSED AMENDMENT OF ADMINISTRATIVE CODE SECTION 2A.78 POLICE INSPECTORS

WHEREAS, existing Administrative Code Section 2A.78 does not accurately reflect the procedure for the conduct of examinations for the rank of Assistant Inspector; and

WHEREAS, post-Consent Decree Civil Service Rules have been adopted to regulate the administration of the examinations; and

WHEREAS, Administrative Code Section 2A.78 requires amendments to accurately reflect the applicability of Civil Service Rules, now therefore, be it

RESOLVED, that the Police Commission approves that amendment of Administrative Code Section 2A.78 and urges the Mayor to submit the proposed amendment to the Board of Supervisors for adoption.

AYES: Commissioners Herrera, Perry, Friday, Quaranta
ABSENT: Commissioner Chan

PUBLIC COMMENTS

Donald Peoples discussed concerns regarding actions of police in the Tenderloin District.

Thereafter, the meeting was adjourned at 5:55 p.m.

_____

Lieutenant Manuel Barretta
Secretary
THE POLICE COMMISSION

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The Police Commission

CITY AND COUNTY OF SAN FRANCISCO

SAN FRANCISCO POLICE COMMISSION AGENDA

DENNIS HERRERA
President

SIDNEY CHAN
Vice President

CONNIE PERRY
Commissioner

WAYNE FRIDAY
Commissioner

ANGELO QUARANTA
Commissioner

LT. MANUEL BARRETTA
Secretary

REGULAR MEETING
WEDNESDAY, AUGUST 16, 2000
5:30 p.m.

Thomas J. Cahill Hall of Justice
850 Bryant Street, Room 551
San Francisco, California

1. Pledge of Allegiance
2. Roll Call
3. Approval of Consent Calendar
4. Assignment of Commissioner and Setting of Date for Taking of Evidence on Disciplinary Charges filed against Officer Carlos J. Mustafich, Taraval (File No. C00-253 JWA)
5. Police Commission Announcements
   a. Motion of Calendaring of New Items
6. Chief's Announcements and Review of Recent Department Events
7. OCC Director's Report re: Staffing and Budget and Summary of Recent Events
8. Discussion re: OCC Policy Recommendations
9. Discussion and Action re: Revised General Order 3.07, "Department Accident Board of Review"
10. Public Comments
    (Members of the public may address the Commission on items that are within the subject matter jurisdiction of the Police Commission that do not appear on the agenda.)

CONSENT CALENDAR

1. Request of Inspector Jason Cherniss for Approval to Accept a Gift of a Pin from Mr. Ray Guiducci
2. Request of the Chief of Police for Approval to Accept Donation of a 1997 Hyundai from the Hyndai Motors Corporation of America, valued at approximately $4,900, for Use of the SFPD Tactical Unit

**There will be Public Comments on any item before or during discussion of each item.*

KNOW YOUR RIGHTS UNDER THE SUNSHINE ORDINANCE
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PUBLIC MEETING/HEARING
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- For information about the meeting call 553 1667 Voice, or 553 9194 TDD.

San Francisco Police Department

AUGUST 16, 2000 REGULAR MEETING

The Police Commission of the City and County of San Francisco met in their chambers, Room 551, Thomas J. Cahill Hall of Justice, 850 Bryant Street, San Francisco, at 5:35 p.m., in a Regular Meeting.

PRESENT: Commissioners Herrera, Chan, Perry, Friday
ABSENT: Commissioner Quaranta

APPROVAL OF CONSENT CALENDAR

RESOLUTION NO. 54-00

APPROVAL OF REQUEST OF INSPECTOR JASON CHERNISS TO ACCEPT A GIFT OF A PIN FROM MR. RAY GUIDUCCI

RESOLVED, that the Police Commission hereby approves request of Inspector Jason Cherniss to accept a gift of a pin from Mr. Ray Guiducci.

AYES: Commissioners Herrera, Chan, Perry, Friday
ABSENT: Commissioner Quaranta

RESOLUTION NO. 55-00

APPROVAL OF REQUEST OF THE CHIEF OF POLICE TO ACCEPT DONATION OF A 1997 HYUNDAI FROM THE HYUNDAI MOTORS CORPORATION OF AMERICA, VALUED AT APPROXIMATELY $4,900, FOR USE OF THE SFPD TACTICAL UNIT

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RESOLVED, that the Police Commission hereby approves request of the Chief of Police to accept donation of a 1997 Hyundai from the Hyundai Motors Corporation of America, valued at approximately $4,900, for use of the SFPD Tactical Unit.

AYES: Commissioners Herrera, Chan, Perry, Friday
ABSENT: Commissioner Quaranta

RESOLUTION NO. 56-00

ASSIGNMENT OF COMMISSIONER AND SETTING OF DATE FOR TAKING OF EVIDENCE ON DISCIPLINARY CHARGES FILED AGAINST OFFICER CARLOS J. MUSTAFICH, TARAVAL (FILE NO. C00-253 JWA)

WHEREAS, the assignment of a Commissioner and setting of a date to conduct taking of evidence in disciplinary charges filed against Officer Carlos J. Mustafich, Star No. 1774, Taraval, was called it having been set for this date; and

WHEREAS, Commissioner Connie Perry is hereby assigned to conduct taking of evidence in the disciplinary charges filed against Officer Carlos J. Mustafich; therefore be it

RESOLVED, that Commissioner Connie Perry is hereby assigned to conduct taking of evidence in the disciplinary charges filed against Officer Carlos J. Mustafich, and is to be set at a later date.

AYES: Commissioners Herrera, Chan, Perry, Friday
ABSENT: Commissioner Quaranta

POLICE COMMISSION ANNOUNCEMENTS

a. **Motion of Calendaring of New Items**

Commissioner Herrera will be out of town August 19th through September 4th.

CHIEF'S ANNOUNCEMENTS AND REVIEW OF RECENT DEPARTMENT EVENTS

Chief Sanders for Chief Lau discussed visit of delegation from Russia and training in hate crimes, delegation from Africa and police training. Chief Sanders also stated that Deputy Chief Heather Fong is working on New Year's Eve celebrations.

OCC DIRECTOR'S REPORT RE: STAFFING AND BUDGET AND SUMMARY OF RECENT EVENTS

Director Dunlap discussed visit by Washington D.C. OCC personnel. She further stated that OCC currently has two investigator vacancies with 41 applicants.

RESOLUTION NO. 57-00 (Taken out of order)

APPROVAL OF REVISED DEPARTMENT GENERAL ORDER 3.07, "DEPARTMENT ACCIDENT BOARD OF REVIEW"

RESOLVED, that the Police Commission hereby approves revised Department General Order 3.07, "Department Accident Board of Review."

AYES: Commissioners Herrera, Chan, Perry, Friday
ABSENT: Commissioner Quaranta

DISCUSSION RE: OCC POLICY RECOMMENDATIONS

Commissioner Herrera stated he has reviewed recommendations. He stated Commissioner Perry needs to meet with OCC and the department regarding some recommendations and get status update and report later. Commissioner Herrera stated that any not agreed upon will come before the Commission.

PUBLIC COMMENTS

None

Thereafter, the meeting was adjourned at 6:00 p.m.

_____
Lieutenant Manuel Barretta
Secretary
THE POLICE COMMISSION

1137/rc

************PLEASE NOTE ADDRESS CORRECTION************

Calendar

THE SAN FRANCISCO POLICE COMMISSION AND CENTRAL POLICE STATION CORDIALLY INVITE YOU TO ATTEND THE MONTHLY MEETING OF THE SAN FRANCISCO POLICE COMMISSION

TIME 6:00 PM
WEDNESDAY AUGUST 23, 2000
JEAN PARKER ELEMENTARY SCHOOL
840 BROADWAY STREET @ POWELL

PLEASE ATTEND AND MEET THE PRESIDENT AND MEMBERS OF THE SAN FRANCISCO POLICE COMMISSION

MEET THE CAPTAIN AND OFFICERS OF CENTRAL STATION

THERE WILL BE A PUBLIC COMMENT SESSION DURING THE MEETING

FOR MORE INFORMATION PLEASE CONTACT OFFICER FRED CRISP @ 315-2423

PLEASE INVITE YOUR NEIGHBORS

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The Police Commission

CITY AND COUNTY OF SAN FRANCISCO

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SAN FRANCISCO POLICE COMMISSION AGENDA
REGULAR MEETING
WEDNESDAY, AUGUST 23, 2000
6:00 p.m.

CENTRAL DISTRICT
JEAN PARKER ELEMENTARY SCHOOL
840 Broadway Street at Powell
San Francisco

DENNIS HERRERA
President

SIDNEY CHAN
Viee President

CONNIE PERRY
Commissioner

WAYNE FRIDAY
Commissioner

ANGELO QUARANTA
Commissioner

LT. MANUEL BARRETTA
Secretary

1. Pledge of Allegiance
2. Roll Call
3. Assignment of Commissioner and Setting of Date for Taking of Evidence on Disciplinary Charges filed against Officer Patrick Tobin, Central (File No.
4. Police Commission Announcements
   a. Motion of Calendaring of New Items
5. Chief's Announcements and Review of Recent Department Events
6. OCC Director's Report re: Staffing, Budget and Summary of Recent Events
7. Captain Kevin Dillon, Commanding Officer of Central Station, to address the Commission on Police Activities in the Central District
8. Public Comments
   (Members of the public may address the Commission for up to 3 minutes for individuals or up to 5 minutes for groups. The President of the Commission may limit the total testimony time.)

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The proceeding will be held at Jean Parker Elementary School, 840 Broadway, San Francisco.
The closest accessible BART _____.
Accessible MUNI lines serving this location are #12 Muni and #83 Pacific
#30X (not accessible)

For information about MUNI service call 923 6142.

Accessible parking is available at the following location: _____

Accessible seating for persons with disabilities and wheelchairs will be available.

- For information about the meeting call 553-1667 Voice, or 553 9194 TDD.

San Francisco Police Department

AUGUST 23, 2000 REGULAR MEETING

The Police Commission of the City and County of San Francisco met in the Central District at the Jean Parker Elementary School, 840 Broadway Street, San Francisco, at 6:10 p.m., in a Regular Meeting.

PRESENT: Commissioner Chan, Perry, Friday, Quaranta
ABSENT: Commissioner Herrera

RESOLUTION NO. 58-00

ASSIGNMENT OF COMMISSIONER AND SETTING OF DATE FOR TAKING OF EVIDENCE ON DISCIPLINARY CHARGES FILED AGAINST OFFICER PATRICK M. TOBIN, CENTRAL (FILE NO. C00-263 SCM)

WHEREAS, the assignment of a Commissioner and setting of a date to conduct taking of evidence in disciplinary charges filed against Officer Patrick M. Tobin, Star No. 938, Central, was called it having been set for this date; and

WHEREAS, Commissioner Connie Perry is hereby assigned to conduct taking of evidence in the disciplinary charges filed against Officer Patrick M. . Tobin; therefore be it

RESOLVED, that Commissioner Connie Perry is hereby assigned to conduct taking of evidence in the disciplinary charges filed against Officer Patrick M. Tobin, and is to be set at a later date.

AYES: Commissioners Chan, Perry, Friday, Quaranta
ABSENT: Commissioner Herrera

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POLICE COMMISSION ANNOUNCEMENTS

a. **Motion of Calendaring of New Items**

Commissioner Chan welcomed the audience and the Commission introduced themselves.

No meeting September 6th.

CHIEF'S ANNOUNCEMENTS AND REVIEW OF RECENT DEPARTMENT EVENTS

Chief Lau introduced the Command Staff and introduced Chief of Investigations from the Netherlands.

OCC DIRECTOR'S REPORT RE: STAFFING, BUDGET AND SUMMARY OF RECENT EVENTS

Director Mary Dunlap described duties of the OCC.

CAPTAIN KEVIN DILLON, COMMANDING OFFICER OF CENTRAL STATION, TO ADDRESS THE COMMISSION ON POLICE ACTIVITIES IN THE CENTRAL DISTRICT

Captain Kevin Dillon described duties and district personnel. Captain Dillon further discussed bank robbery arrest yesterday by Officer Keith Singer. He stated suspect was responsible for 16 recent robberies.

PUBLIC COMMENTS

Aaron, resident, praised Captain Dillon and members of Central Station.

Michael Alexander, resident, commended the department for arrest of bank robbers and discussed red light runners.

Thereafter, the meeting was adjourned at 7:06 p.m.

_____

Lieutenant Manuel Barretta
Secretary
THE POLICE COMMISSION

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The Police Commission

CITY AND COUNTY OF SAN FRANCISCO

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SIDNEY CHAN
Vice President

CONNIE PERRY
Commissioner

WAYNE FRIDAY
Commissioner

ANGELO QUARANTA
Commissioner

LT. MANUEL BARRETTA
Secretary

SAN FRANCISCO POLICE COMMISSION AGENDA

REGULAR MEETING
WEDNESDAY, AUGUST 30, 2000
5:30 p.m.

Thomas J. Cahill Hall of Justice
850 Bryant Street, Room 551
San Francisco, California

1. Pledge of Allegiance

2. Roll Call

3. Assignment of Commissioner and Setting of Date for Taking of Evidence on Disciplinary Charges filed against Officer Nancie B. Guillory, Mission (File No. C00-264 SCM)

4. Police Commission Announcements
   a. Motion of Calendaring of New Items

5. Chief's Announcements and Review of Recent Department Events

6. OCC Director's Report re: Staffing and Budget and Summary of Recent Events

7. Presentation re: First Quarter 2000 Early Warning System Report

8. Discussion and Action re: Request of the Chief of Police to Amend the Administrative Code to Add the Criminal Enterprise Investigations Restitution/Forfeiture Special Account of the San Francisco Police Department, Section 10.117-124

9. Public Comments
   (Members of the public may address the Commission on items that are within the subject matter jurisdiction of the Police Commission that do not appear on the agenda.)

**There will be Public Comments on any item before or during discussion of each item.*

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SAN FRANCISCO POLICE COMMISSION
PUBLIC MEETING/HEARING ACCESSIBILITY INFORMATION

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A **sound enhancement system** will be available on request at the proceeding.

Meeting agendas and other print materials will be made available in **alternate formats** (computer disk, cassette tape, large print or Braille) upon advance request at least 72 hours at least 72 hours prior to a proceeding. Please call Sergeant Michael Sullivan, at 553 1343 (v) or 558 2406 (tty). Late requests will be honored if possible.

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The proceeding will be held at the Hall of Justice, 850 Bryant Street, 5th floor Police Commission Hearing Room. The closest accessible BART station is 5th and Mission Streets. Accessible MUNI lines serving this location are 42 and 9X San Bruno Express.

For information about MUNI service call 923 6142

Accessible parking is available in front of the Hall of Justice, 850 Bryant Street.

Accessible seating for persons with disabilities and wheelchairs will be available.

For information about the meeting call 553 1667(v) or 553 9194 (tty)

AUGUST 30, 2000 REGULAR MEETING

The Police Commission of the City and County of San Francisco met in their chambers, Room 551, Thomas J. Cahill Hall of Justice, 850 Bryant Street, San Francisco, at 5:40 p.m., in a Regular Meeting.

PRESENT: Commissioners Chan, Perry, Friday, Quaranta
ABSENT: Commissioner Herrera

RESOLUTION NO. 59-00

ASSIGNMENT OF COMMISSIONER AND SETTING OF DATE FOR TAKING OF EVIDENCE ON DISCIPLINARY CHARGES FILED AGAINST OFFICER NANCIE B. GUILLORY, MISSION (FILE NO. C00264 SCM)

WHEREAS, the assignment of a Commissioner and setting of a date to conduct taking of evidence in disciplinary charges filed against Officer Nancie B. Guillory, Star No. 1806, Mission, was called it having been set for this date; and

WHEREAS, Commissioner Connie Perry is hereby assigned to conduct taking of evidence in the disciplinary charges filed against Officer Nancie B. Guillory; therefore be it

RESOLVED, that Commissioner Connie Perry is hereby assigned to conduct taking of evidence in the disciplinary charges filed against Officer Nancie B. Guillory, and is to be set at a later date.

AYES: Commissioners Chan, Perry, Friday, Quaranta
ABSENT: Commissioner Herrera

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POLICE COMMISSION ANNOUNCEMENTS

a. **Motion of Calendaring of New Items**

No meeting next week. There will be a celebration at City Hall for 25 years of Women in Patrol.

CHIEF'S ANNOUNCEMENTS AND REVIEW OF RECENT DEPARTMENT EVENTS

Chief Lau stated that he'll be taking children to the circus tomorrow evening.

OCC DIRECTOR'S REPORT RE: STAFFING AND BUDGET AND SUMMARY OF RECENT EVENTS

Director Dunlap stated two new investigators by October 11th and presented Early Warning System.

PRESENTATION RE: FIRST QUARTER 2000 EARLY WARNING SYSTEM REPORT

Director Dunlap presented Early Warning System Report and discussed increase in complaints against personnel.

RESOLUTION NO. 60-00

APPROVAL OF THE REQUEST OF THE CHIEF OF POLICE TO AMEND THE ADMINISTRATIVE CODE TO ADD THE CRIMINAL ENTERPRISE INVESTIGATIONS RESTITUTION/FORFEITURE SPECIAL ACCOUNT OF THE SAN FRANCISCO POLICE DEPARTMENT, SECTION 10.117-124

RESOLVED, that the Police Commission hereby approves request of the Chief of Police to amend the Administrative Code to add the Criminal Enterprise Investigations Restitution/Forfeiture Special Account of the San Francisco Police Department, Section 10.117-124.

AYES: Commissioners Chan, Perry, Friday, Quaranta
ABSENT: Commissioner Herrera

PUBLIC COMMENTS

None

Thereafter, the meeting was adjourned.

_____
Lieutenant Manuel Barretta
Secretary
THE POLICE COMMISSION

1137/rc

The Police Commission

CITY AND COUNTY OF SAN FRANCISCO

DENNIS HERRERA
President

SIDNEY CHAN
Vice President

CONNIE PERRY
Commissioner

WAYNE FRIDAY
Commissioner

ANGELO QUARANTA
Commissioner

LT. MANUEL BARRETTA
Secretary

FHS
9/6/00
Cancelled

CALENDAR OF PROCEEDINGS
POLICE COMMISSION MEETING

There will be no Police Commission Regular Meeting on ***Wednesday, September 6, 2000***. The next Police Commission Regular Meeting will be on **Wednesday, September 13, 2000**, 5:30 p.m., at Thomas J. Cahill Hall of Justice, 850 Bryant Street, San Francisco, Room 551.

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The Police Commission

CITY AND COUNTY OF SAN FRANCISCO

DENNIS HERRERA
President

SIDNEY CHAN
Vice President

CONNIE PERRY
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WAYNE FRIDAY
Commissioner

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Commissioner

LT. MANUEL BARRETTA
Secretary

SAN FRANCISCO POLICE COMMISSION AGENDA

REGULAR MEETING
WEDNESDAY, SEPTEMBER 13, 2000
5:30 p.m.

Thomas J. Cahill Hall of Justice
850 Bryant Street, Room 551
San Francisco, California

Fax 9/-/00
DOCUMENTS DEPT.

SEP 11 2000

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1. Pledge of Allegiance
2. Roll Call
3. Police Commission Announcements
   a. Motion of Calendaring of New Items
4. Chief's Announcements and Review of Recent Department Events
5. OCC Director's Report re: Staffing and Budget and Summary of Recent Events
6. Status Report re: OCC Policy Recommendations
7. Public Comments
   (Members of the public may address the Commission on items that are within the subject matter jurisdiction of the Police Commission that do not appear on the agenda.)

**There will be Public Comments on any item before or during discussion of each item.*

KNOW YOUR RIGHTS UNDER THE SUNSHINE ORDINANCE
(Chapter 67 of the San Francisco Administrative Code)

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SAN FRANCISCO POLICE COMMISSION
PUBLIC MEETING/HEARING ACCESSIBILITY INFORMATION

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SEPTEMBER 13, 2000 **REGULAR MEETING**

The Police Commission of the City and County of San Francisco met in their chambers, Room 551, Thomas J. Cahill Hall of Justice, 850 Bryant Street, San Francisco, at 5:35 p.m., in a Regular Meeting.

PRESENT: Commissioners Chan, Perry, Friday, Quaranta
ABSENT: Commissioner Herrera

POLICE COMMISSION ANNOUNCEMENTS

a. Motion of Calendaring of New Items

Medal of Valor Ceremony will be next week to be held at the Bank of America building.

CHIEF'S ANNOUNCEMENTS AND REVIEW OF RECENT DEPARTMENT EVENTS

Assistant Chief Sanders for Chief Lau discussed upcoming trip to St. Petersburg, Russia, regarding Hate Crimes.

OCC DIRECTOR'S REPORT RE: STAFFING AND BUDGET AND SUMMARY OF RECENT EVENTS

Director Mary Dunlap discussed hiring process of two new investigators.

STATUS REPORT RE: OCC POLICY RECOMMENDATIONS

Assistant Chief Sanders updated the Commission on policy recommendations.

Commissioner Perry stated that meetings are ongoing.

PUBLIC COMMENTS

None

Thereafter, the meeting was adjourned.

Lieutenant Manuel Barretta
Secretary
THE POLICE COMMISSION

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The Police Commission

CITY AND COUNTY OF SAN FRANCISCO

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Vice President

CONNIE FERRY
Commissioner

WAYNE FRIDAY
Commissioner

ANGELO QUARANTA
Commissioner

LT MANUEL BARRETTA
Secretary

CALENDAR OF PROCEEDINGS
POLICE COMMISSION MEETING

There will be no Police Commission Regular Meeting on ***Wednesday, September 20, 2000***. The next Police Commission Regular Meeting will be on **Wednesday, September 27, 2000**, 5:30 p.m., at Thomas J. Cahill Hall of Justice, 850 Bryant Street, San Francisco, Room 551.

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A Procedural Hearing for the taking of evidence was conducted by Commissioner Dennis Herrera on Thursday, September 21, 2000:

PROCEDURAL HEARING FOR TAKING OF EVIDENCE IN THE DISCIPLINARY CHARGES FILED AGAINST OFFICER ROBERT A. TAYAC, GENERAL WORKS (FILE NO. C97-115 DTC)

The hearing for taking of evidence in the disciplinary charges filed against Inspector Robert A. Tayac was called at 8:15 a.m., it having been set for this date.

Ms. Samara Marion, Attorney at Law, and Ms. Jean Field, Attorney at Law, appeared on behalf of the Office of Citizen Complaints and the San Francisco Police Department.

Mr. John Prentice, Attorney at Law, appeared on behalf of Officer Robert Tayac.

Ms. Marion entered a motion to exclude witnesses and said motion was granted.

Opening statements were made Ms. Marion and Mr. Prentice.

The following witnesses were called by the Office of Citizen Complaints, were sworn and testified:

Inspector Gavin McEachern
Ms. Maria Perez
Inspector Robert Tayac

The following exhibits were identified and entered into evidence by the Office of Citizen Complaints:

Exhibit No. 1	Diagram of Haight Ashbury Area
Exhibit No. 2	Copy of General Order 5.08
Exhibit No. 3	Copy of General Order 9.01

The following exhibits were entered for identification by the Office of Citizen Complaints:

Exhibit No. 4	Copy of transcript of Inspector McEachern's OCC Interview
Exhibit No. 5	Copy of Complaint Summary 503-96 (Perez)
Exhibit No. 6	Copy of Transcript of Tayac Interview at OCC dated 8/29/96
Exhibit No. 7	Copy of Vehicle Code Section 21950 and 21955

The following exhibits were entered for identification by the Defense:

Exhibit No. A	Copy of Report No. 960879834
Exhibit No. B	Copy of Supplemental Report No. 960879834
Exhibit No. C	Copy of Police Report No. 901189214

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Recess taken during the hearing of Inspector Robert Tayac:

10:25 a.m. - 10:43 a.m.
11:25 a.m. - 11: 30 a.m.

(The entire proceedings were taken in shorthand form by Ms. Mary Ann Zimmerer, CSR, Roomian & Associates)

Thereafter, the meeting was adjourned.

_____

Lieutenant Manuel Barretta
Secretary
THE POLICE COMMISSION

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The Police Commission

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SAN FRANCISCO POLICE COMMISSION AGENDA

REGULAR MEETING
WEDNESDAY, SEPTEMBER 27, 2000
5:15 p.m.

Thomas J. Cahill Hall of Justice
850 Bryant Street, Room 505
San Francisco, California

1. Roll Call

2. Public Comment on all matter pertaining to the Closed Session

3. Vote on whether to hold Closed Session and/or assert Attorney/Client Privilege to confer with legal counsel. (San Francisco Administrative Code Section 67.11(a).)

4. Closed Session held pursuant to Government code 54957 and San Francisco Administrative Code Section 67.11(b).

   PUBLIC EMPLOYEE EVALUATION

   a. Chief of Police Fred H. Lau

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SAN FRANCISCO POLICE COMMISSION AGENDA

REGULAR MEETING
WEDNESDAY, SEPTEMBER 27, 2000
5:30 p.m.

Thomas J. Cahill Hall of Justice
850 Bryant Street, Room 551
San Francisco, California

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1. Pledge of Allegiance
2. Roll Call
3. Discussion and Vote on whether to Disclose Discussion and Disclosure of Action taken in Closed Session
4. Police Commission Announcements
   a. Motion of Calendaring of New Items
5. Chief's Announcements and Review of Recent Department Events
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SAN FRANCISCO POLICE COMMISSION
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For information about the meeting call 553 1667(v) or 553 9194 (tty)

SEPTEMBER 27, 2000 **CLOSED SESSION**

The Police Commission of the City and County of San Francisco met in their chambers, Room 505-2, Thomas J. Cahill Hall of Justice, 850 Bryant Street, San Francisco, at 5:15 p.m., in Closed Session.

PRESENT: Commissioners Herrera, Chan, Perry, Friday, Quaranta

PUBLIC EMPLOYEE EVALUATION

a. Chief of Police Fred H. Lau

SEPTEMBER 27, 2000 **REGULAR MEETING**

The Police Commission of the City and County of San Francisco met in their chambers, Room 551, Thomas J. Cahill Hall of Justice, 850 Bryant Street, San Francisco, at 5:30 p.m., in a Regular Meeting.

PRESENT: Commissioners Herrera, Chan, Perry, Friday, Quaranta

DISCUSSION AND VOTE ON WHETHER TO DISCLOSE DISCUSSION AND DISCLOSURE OF ACTION TAKEN IN CLOSED SESSION

Approved evaluation of Chief of Police Fred H. Lau.

POLICE COMMISSION ANNOUNCEMENTS

a. Motion of Calendaring of New Items

No meeting on October 11th. OCC Policy Recommendations moved from October 11th to October 18th.

Commissioner Herrera asked the Chief to report on safety on Muni.

Commissioner Friday asked Commander Bruce regarding Board of Supervisors meeting on Monday regarding staffing of the Police Department.

Commissioner Herrera asked the Chief for a report and update regarding Roll Call Training.

The Commission also asked for an update regarding cut over on CAD Program.

CHIEF'S ANNOUNCEMENTS AND REVIEW OF RECENT DEPARTMENT EVENTS

Chief Lau talked about Graffiti Summit meeting held today. The Chief also stated that the new Tenderloin Station opening will be October 5th at 11:30.

Deputy Chief Mindy Pengel briefed the Commission on pimping arrest.

OCC DIRECTOR'S REPORT RE: STAFFING AND BUDGET AND SUMMARY OF RECENT EVENTS

Samara Marion for Director Dunlap stated nothing to report.

PUBLIC COMMENTS

Andrea O'Leary discussed quality of life issues in Ingleside District and off-leash dogs in district.

Thereafter, the meeting was adjourned.

_____

Lieutenant Manuel Barretta
Secretary
THE POLICE COMMISSION

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ANGELO QUARANTA
Commissioner

LT. MANUEL BARRETTA
Secretary

SAN FRANCISCO POLICE COMMISSION AGENDA

REGULAR MEETING
WEDNESDAY, OCTOBER 4, 2000
5:30 p.m.

Thomas J. Cahill Hull of Justice
850 Bryant Street, Room 551
San Francisco, California

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1. Pledge of Allegiance

2. Roll Call

3. Police Commission Announcements
   a. Motion of Calendaring of New Items

4. Discussion and Action re: Rèsignation of Officer Chris J. Greenman (File No. C00-210 JWA & C00-243 JWF)

5. Chief's Announcements and Review of Recent Department Events

6. OCC Director's Report re: Staffing and Budget and Summary of Recent Events

7. Presentation of OCC Statistical Reports for January, February and April 2000, and First Quarter Report 2000

8. Request of the Chief of Police for Authorization to Apply for Retroactively, Accept. and Expend Funds to implement the "Decoy Shoulder Tap Program"; including any augmentations, extensions and modifications.

9. Presentation re: Graffiti Enforcement Program

10. Public Comments
    (Members of the public may address the Commission on items that are within the subject matter jurisdiction of the Police Commission that do not appear on the agenda.)

SAN FRANCISCO POLICE COMMISSION
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OCTOBER 4, 2000 **REGULAR MEETING**

The Police Commission of the City and County of San Francisco met in their chambers, Room 551, Thomas J. Cahill Hall of Justice, 850 Bryant Street, San Francisco, at 5:40 p.m., in a Regular Meeting.

PRESENT: Commissioners Herrera, Perry, Friday, Quaranta
ABSENT: Commissioner Chan

POLICE COMMISSION ANNOUNCEMENTS

a. Motion of Calendaring of New Items

No meeting on the 11th. Next meeting will be October 18th. Commissioner Herrera will be out of town on the 25th.

RESOLUTION NO. 61-00

HEARING OF OFFICER CHRIS J. GREENMAN, TENDERLOIN TASK FORCE (FILE NO. C00-210 JWA & C00-243 JWF)

WHEREAS, on July 12 and 13, 2000 and , Fred H. Lau, Chief of Police, made and served charges against Police Officer Chris J. Greenman, Star No. 975, as follows:

FILE NO. C00-210 JWA:

SPECIFICATION NO. 1
Engaging in conduct which subverts the good order, efficiency, or discipline of the department or which reflects discredit on the department (violation of Rule 9 of Department General Order 2.01 of the San Francisco Police Department);

SPECIFICATION NO. 2
Engaging in conduct which subverts the good order, efficiency, or discipline of the department or which reflects discredit on the department (violation of Rule 9 of Department General Order 2.01 of the San Francisco Police Department);

and

FILE NO. C00-243 JWF:

SPECIFICATION NO. 1
Use of Force (striking a civilian without legal justification, in violation of Department General Order 5.01);

SPECIFICATION NO. 2
Neglect of Duty (failing to document force used on a civilian, in violation of Department General Order 5.01);

SPECIFICATION NO. 3
Neglect of Duty (preparing a false and inaccurate incident report, in violation of General Order 2.01, Rule 9);

WHEREAS, Officer Chris J. Greenman, Star No. 974, Tenderloin Task Force, submitted his resignation from the San Francisco Police Department effective close of business on Monday, September 25, 2000; therefore be it

RESOLVED, that the charges of violating the Rules and Procedures of the San Francisco Police Department filed against Officer Chris J. Greenman, Star No. 974, be, and the same are hereby continued off calendar.

AYES: Commissioners Herrera, Perry, Friday, Quaranta
ABSENT: Commissioner Chan

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CHIEF'S ANNOUNCEMENTS AND REVIEW OF RECENT DEPARTMENT EVENTS

Chief Lau commends Department for Castro Street Fair.

OCC DIRECTOR'S REPORT RE: STAFFING AND BUDGET AND SUMMARY OF RECENT EVENTS

Director Mary Dunlap reported on conference held in Hawaii.

PRESENTATION OF OCC STATISTICAL REPORTS FOR JANUARY, FEBRUARY, AND APRIL 2000, AND FIRST QUARTER REPORT 2000

Director Dunlap presented stats for January, February, March, and April, 2000.

RESOLUTION NO. 62-00

APPROVAL OF REQUEST OF THE CHIEF OF POLICE TO RETROACTIVELY APPLY FOR, ACCEPT, AND EXPEND FUNDS FROM THE CALIFORNIA DEPARTMENT OF ALCOHOLIC BEVERAGE CONTROL TO IMPLEMENT THE "DECOY SHOULDER TAP PROGRAM," INCLUDING ANY AUGMENTATIONS, EXTENSIONS, AND MODIFICATIONS

RESOLVED, that the Police Commission hereby approves request of the Chief of Police to retroactively apply for, accept, and expend funds from the California Department of Alcoholic Beverage Control to implement the "Decoy Shoulder Tap Program," including any augmentations, extensions, and modifications.

AYES: Commissioners Herrera, Perry, Friday, Quaranta
ABSENT: Commissioner Chan

PRESENTATION RE: GRAFFITI ENFORCEMENT PROGRAM

Commander Bruce updated the Commission regarding community policing.

Officer Chuck Limbert was presented with Certificate of Appreciation and gave presentation on graffiti eradication.

Commissioner Herrera complemented Officer Limbert for his actions against graffiti.

PUBLIC COMMENTS

None

Thereafter, the meeting was adjourned at 6:30 p.m.

Lieutenant Manuel Barretta
Secretary
THE POLICE COMMISSION

1137/rc

The Police Commission

CITY AND COUNTY OF SAN FRANCISCO

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President

SIDNEY CHAN
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Commissioner

WAYNE FRIDAY
Commissioner

ANGELO QUARANTA
Commissioner

LT. MANUEL BARRETTA
Secretary

SF
P45
#1
10/11/00
No Meeting

CALENDAR OF PROCEEDINGS
POLICE COMMISSION MEETING

There will be no Police Commission Regular Meeting on ***Wednesday, October 11, 2000***. The next Police Commission Regular Meeting will be on **Wednesday, October 18, 2000**, 5:30 p.m., at Thomas J. Cahill Hall of Justice, 850 Bryant Street, San Francisco, Room 551.

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ANGELO QUARANTA
Commissioner

LT. MANUEL BARRETTA
Secretary

SAN FRANCISCO POLICE COMMISSION AGENDA

REGULAR MEETING
WEDNESDAY, OCTOBER 18, 2000
5:30 p.m.

Thomas J. Cahill Hall of Justice
850 Bryant Street, Room 551
San Francisco, California

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1. Pledge of Allegiance
2. Roll Call
3. Assignment of Commissioner and Setting of Date for Taking of Evidence on Disciplinary Charges Filed Against Officer Peter D. Ma, Northern (File No. JWF C00-296)
4. Police Commission Announcements
   a. Motion of Calendaring of New Items
5. Chief's Announcements and Review of Recent Department Events
6. OCC Director's Report re: Staffing and Budget and Summary of Recent Events
7. Discussion and Action re: Transfer of Patrol Special Beat #3 from Alfredo Ballesteros. #2651 to Jane Warner, #2629; and Appointment of Assistant Patrol Special Jane Warner to Full Patrol Special Officer
8. Status Report re: OCC Policy Recommendations
9. Status Report re: 911 CAD Update
10. Public Comments
    (Members of the public may address the Commission on items that are within the subject matter jurisdiction of the Police Commission that do not appear on the agenda.)

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OCTOBER 18, 2000 **REGULAR MEETING**

The Police Commission of the City and County of San Francisco met in their chambers, Room 551, Thomas J. Cahill Hall of Justice, 850 Bryant Street, San Francisco, at 5:35 p.m., in a Regular Meeting.

PRESENT: Commissioners Herrera, Chan, Perry, Friday, Quaranta

RESOLUTION NO. 63-00

ASSIGNMENT OF COMMISSIONER AND SETTING OF DATE FOR TAKING OF EVIDENCE ON DISCIPLINARY CHARGES FILED AGAINST OFFICER PETER D. MA, NORTHERN (FILE NO. JWF C00-296)

WHEREAS, the assignment of a Commissioner and setting of a date to conduct taking of evidence in disciplinary charges filed against Officer Peter D. Ma, Star No. 1715, Northern, was called it having been set for this date; and

WHEREAS, Commissioner Wayne Friday is hereby assigned to conduct taking of evidence in the disciplinary charges filed against Officer Peter D. Ma; therefore be it

RESOLVED, that Commissioner Wayne Friday is hereby assigned to conduct taking of evidence in the disciplinary charges filed against Officer Peter D. Ma, and is to be set at a later date.

AYES: Commissioners Herrera, Chan, Perry, Friday, Quaranta

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POLICE COMMISSION ANNOUNCEMENTS

a. Motion of Calendaring of New Items

Next week's meeting will be in the Northern District.

Commissioner Herrera asked that the Housing Authority be contacted regarding quarterly meeting.

CHIEF'S ANNOUNCEMENTS AND REVIEW OF RECENT DEPARTMENT EVENTS

Assistant Chief Sanders for Chief Lau briefed the Commission regarding capture of homicide suspects from Texas.

Commissioner Herrera asked regarding actions of police.

Captain Ron Roth presented Certificates of Appreciation to Frank Cuneo, Jose Vigil, Lindsey Mace, and Tommy Quintaro.

OCC DIRECTOR'S REPORT RE: STAFFING AND BUDGET AND SUMMARY OF RECENT EVENTS

Director Mary Dunlap stated new administration staff member was hired and will be starting November 6th.

RESOLUTION NO. 64-00

APPROVAL OF TRANSFER OF PATROL BEAT NO. 3 FROM PATROL SPECIAL OFFICER ALFREDO BALLESTEROS TO ASSISTANT PATROL SPECIAL OFFICER JANE WARNER

RESOLVED, that the Police Commission hereby approves transfer of Patrol Beat No. 3 from Patrol Special Officer Alfredo Ballesteros to Assistant Patrol Special Officer Jane Warner.

AYES: Commissioners Herrera, Chan, Perry, Friday, Quaranta

RESOLUTION NO. 65-00

APPOINTMENT OF ASSISTANT PATROL SPECIAL JANE WARNER TO FULL PATROL SPECIAL OFFICER

RESOLVED, that Assistant Patrol Special Jane Warner, #2629, is hereby appointed to full Patrol Special Officer.

AYES: Commissioners Herrera, Chan, Perry, Friday, Quaranta

STATUS REPORT RE: OCC POLICY RECOMMENDATIONS

Commissioner Perry briefed the Commission on policy recommendations. The Commissioner also stated next meeting will be October 31st.

STATUS REPORT RE: 911 CAD UPDATE

Captain Tim Hettrich, Planning Division, stated cut over date is November 12th. Dispatchers will leave Hall of Justice and will start at Turk Street Headquarters. Captain also stated that Racial Profiling hopefully will start December 1st.

PUBLIC COMMENTS

None

Thereafter, the meeting was adjourned at 6:10 p.m.

_____
Lieutenant Manuel Barretta
Secretary
THE POLICE COMMISSION

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THE SAN FRANCISCO POLICE COMMISSION,
Captain Alex Fagan
And
The Officers of Northern Station
invite you to:

A Special Meeting of the Police Commission

Wednesday, October 25, 2000
6:00 PM

Northern Station Community Room
1125 Fillmore Street

Periodically, the Police Commission holds meetings at each of the 10 district stations. This meeting will allow residents of the Northern District an opportunity to address the Commission about concerns in the City's most densely populated police district.

Captain Fagan will present a "*State of the District*" Message.
Public comment is encouraged.

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The Police Commission

CITY AND COUNTY OF SAN FRANCISCO

DENNIS HERRERA
President

SIDNEY CHAN
Vice President

CONNIE PERRY
Commissioner

WAYNE FRIDAY
Commissioner

ANGELO QUARANTA
Commissioner

LT MANUEL BARRETTA
Secretary

SAN FRANCISCO POLICE COMMISSION AGENDA
REGULAR MEETING
WEDNESDAY, OCTOBER 25, 2000
6:00 p.m.

NORTHERN DISTRICT
NORTHERN STATION COMMUNITY ROOM
1125 Fillmore Street
San Francisco

1. Pledge of Allegiance
2. Roll Call
3. Assignment of Commissioner and Setting of Date for Taking of Evidence on Disciplinary Charges filed against Officer Gabriel I. Gallaread, Park (File No. C00-299 JWF)
4. Police Commission Announcements
   a. Motion of Calendaring of New Items
5. Chief's Announcements and Review of Recent Department Events
6. OCC Director's Report re: Staffing, Budget and Summary of Recent Events
7. Captain Alex Fagan, Commanding Officer of Northern Station, to address the Commission on Police Activities in the NorthernDistrict
8. Public Comments
   (Members of the public may address the Commission for up to 3 minutes for individuals or up to 5 minutes for groups. The President of the Commission may limit the total testimony time.)

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There will be Public Comments on any item before or during discussion of each item

KNOW YOUR RIGHTS UNDER THE SUNSHINE ORDINANCE
(Chapter 67 of the San Francisco Administrative Code)

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PUBLIC MEETING/HEARING
ACCESSIBILITY INFORMATION

American sign language interpreters will be available upon request. Please contact Sgt. Michael Sullivan, at 553 1343, at least 72 hours prior to a proceeding. Late requests will be honored if possible.

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Late requests will be honored if possible.

Minutes of the proceedings are available in alternative formats. If you require the use of a reader during the meeting, please contact Sgt. Michael Sullivan, at 553 1343 at least 72 hours prior to a proceeding. Late requests will be honored if possible.

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The proceeding will be held at Northern Police Station Community Room, Turk & Fillmore.
The closest accessible BART n/a.
Accessible MUNI lines serving this location are #31 - Balboa Muni Line

For information about MUNI service call 923 6142.

Accessible parking is available at the following location: Northern Police Station

Accessible seating for persons with disabilities and wheelchairs will be available.

- For information about the meeting call 553-1667 Voice, or 553 9194 TDD.

San Francisco Police Department

OCTOBER 25, 2000 **REGULAR MEETING**

The Police Commission of the City and County of San Francisco met in the Northern District, Northern Station Community Room, 1125 Fillmore Street, San Francisco, at 6:00 p.m., in a Regular Meeting.

PRESENT: Commissioners Chan, Perry, Friday, Quaranta
ABSENT: Commissioner Herrera

RESOLUTION NO. 66-00

ASSIGNMENT OF COMMISSIONER AND SETTING OF DATE FOR TAKING OF EVIDENCE ON DISCIPLINARY CHARGES FILED AGAINST OFFICER GABRIEL I. GALLAREAD, PARK (FILE NO. C00-299 JWF)

WHEREAS, the assignment of a Commissioner and setting of a date to conduct taking of evidence in disciplinary charges filed against Officer Gabriel I. Gallaread, Star No. 454, Park, was called it having been set for this date; and

WHEREAS, Commissioner Angelo Quaranta is hereby assigned to conduct taking of evidence in the disciplinary charges filed against Officer Gabriel I. Gallaread; therefore be it

RESOLVED, that Commissioner Angelo Quaranta is hereby assigned to conduct taking of evidence in the disciplinary charges filed against Officer Gabriel I. Gallaread, and is to be set at a later date.

AYES: Commissioners Chan, Perry, Friday, Quaranta
ABSENT: Commissioner Herrera

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POLICE COMMISSION ANNOUNCEMENTS

a. Motion of Calendaring of New Items

Commission Chan welcomed the audience and asked the Commission to introduce themselves.

CHIEF'S ANNOUNCEMENTS AND REVIEW OF RECENT DEPARTMENT EVENTS

Chief Lau introduced the Command Staff.

OCC DIRECTOR'S REPORT RE: STAFFING, BUDGET, AND SUMMARY OF RECENT EVENTS

Director Mary Dunlap described duties and responsibilities of the OCC.

CAPTAIN ALEX FAGAN, COMMANDING OFFICER OF NORTHERN STATION, TO ADDRESS THE COMMISSION ON POLICE ACTIVITIES IN THE NORTHERN DISTRICT

Captain Fagan addressed the Commission and the audience on police activities in the Northern District.

Robert Hector, Ella Hutch Community Center, discussed concerns

Gloria Fontinello thanked the Police.

PUBLIC COMMENTS

Mel Seropan thanked Captain Fagan

Patricia Walkup, Hayes Valley Association, thanked Captain Fagan, Officers Michael Deely and Scott Ryan.

Patricia Boyd thanked Captain Fagan.

Judy Edmonds thanked Captain Fagan and the officers of Northern Station and discussed city plan for drug enforcement.

Lt. David Robinson, Narcotics, addressed the Commission regarding drug enforcement.

Tim Maslock discussed actions of Officer Gabe Gallaread and previous complaints.

Thereafter, the meeting was adjourned at 6:50 p.m.

_____

Lieutenant Manuel Barretta
Secretary
THE POLICE COMMISSION

1137/rc

OCTOBER 30, 2000 **SPECIAL MEETING**

A Procedural Hearing for the taking of evidence was conducted by Commissioner Dennis Herrera on Monday, October 30, 2000:

PROCEDURAL HEARING FOR TAKING OF EVIDENCE IN THE DISCIPLINARY CHARGES FILED AGAINST OFFICER ROBERT A. TAYAC, GENERAL WORKS (FILE NO. C97-115 DTC)

The hearing for taking of evidence in the disciplinary charges filed against Inspector Robert A. Tayac was called at 9:05 a.m., it having been continued from the meeting September 21, 2000.

Ms. Samara Marion, Attorney at Law, and Ms. Jean Field, Attorney at Law, appeared on behalf of the Office of Citizen Complaints and the San Francisco Police Department.

Mr. John Prentice, Attorney at Law, appeared on behalf of Officer Robert Tayac.

The following witnesses was called by the Office of Citizen Complaints, was sworn and testified:

Inspector Robert Tayac

The following exhibits were entered for identification by the Office of Citizen Complaints:

Exhibit No. 8	Copy of Computer Printout - CAD
Exhibit No. 9	Copy of General Order 3.01
Exhibit No. 10	Copies of Department Bulletin
Exhibit No. 10a	96-178 Department Bulletin
Exhibit No. 10b	94-109 Department Bulletin
Exhibit No. 10c	93-38 Department Bulletin
Exhibit No. 10d	93-17 Department Bulletin
Exhibit No. 10e	92-161 Department Bulletin
Exhibit No. 10f	95-277 Department Bulletin
Exhibit No. 11	Copy of General Order 2-01

The following exhibit was entered for identification only by the Defense:

Exhibit No. D	Copy of letter to OCC from Robert Tayac dated 3/20/97

Recess taken during the hearing of Inspector Robert Tayac:

10:25 a.m. - 10:35 a.m.

(The entire proceedings were taken in shorthand form by Ms. Mary Ann Zimmerer, CSR, Roomian & Associates)

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Thereafter, the meeting was adjourned.

_____

Lieutenant Manuel Barretta
Secretary
THE POLICE COMMISSION

1137/rc

The Police Commission

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Secretary

SAN FRANCISCO POLICE COMMISSION AGENDA

AND NOTICE OF SPECIAL MEETING
WEDNESDAY, NOVEMBER 1, 2000
5:00 p.m.

Thomas J. Cahill Hall of Justice
850 Bryant Street, Room 505
San Francisco, California

CLOSED SESSION

1. Roll Call

2. Public Comment on all matters pertaining to the Closed Session

3. Vote on whether to hold Closed Session and/or assert Attorney/Client Privilege to confer with legal counsel. (San Francisco Administration Code Section 67.11(a).)

4. Closed Session held pursuant to Government Code 54956.9 and San Francisco Administrative Code Section 67.11(b).

   CONFERENCE WITH LEGAL COUNSEL - Existing Litigation

   a. Diane Detoy v. City and County of San Francisco and Gregory Breslin. United States District Court No. C99-3072

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OCT 30 2000

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SAN FRANCISCO POLICE COMMISSION AGENDA

REGULAR MEETING
WEDNESDAY, NOVEMBER 1, 2000
5:30 p.m.

Thomas J. Cahill Hall of Justice
850 Bryant Street, Room 551
San Francisco, California

1. Pledge of Allegiance

2. Roll Call

3. Discussion and Vote on whether to Disclose Discussion and Disclosure of Action taken in Close Session

4. Approval of Consent Calendar

5. Police Commission Announcements
   a. Motion of Calendaring of New Items

6. Chief's Announcements and Review of Recent Department Events

7. OCC Director's Report re: Staffing and Budget and Summary of Recent Events

8. Public Comments
   (Members of the public may address the Commission on items that are within the subject matter jurisdiction of the Police Commission that do not appear on the agenda.)

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SAN FRANCISCO POLICE COMMISSION AGENDA

REGULAR MEETING
WEDNESDAY, NOVEMBER 1, 2000
5:30 p.m.

Thomas J. Cahill Hall of Justice
850 Bryant Street, Room 551
San Francisco, California

CONSENT CALENDAR

1. Recommendation of the City Attorney for Settlement of the following claim:

   a. Diane Detoy v. City and County of San Francisco and Gregory Breslin, United States District Court No. C99-3072

2. Request of Officers Michael Regalia and David Paul Kucia for Approval to each accept a $50.00 Macy's Gift Card from Mr. Chung Park, and to Donate same to the SFPD Widows and Orphans Fund

3. Request of the Chief of Police to Accept Donation of $1,500.00 from Ms. Lori Matthias, Director of Youth with a Mission of San Francisco, for Use of the Tenderloin Police Station

**There will be Public Comments on any item before or during discussion of each item*

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SAN FRANCISCO POLICE COMMISSION
PUBLIC MEETING/HEARING ACCESSIBILITY INFORMATION

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For information about MUNI service call 923 6142

Accessible parking is available in front of the Hall of Justice, 850 Bryant Street.

Accessible seating for persons with disabilities and wheelchairs will be available.

For information about the meeting call 553 1667(v) or 553 9194 (tty)

NOVEMBER 1, 2000 **CLOSED SESSION**

The Police Commission of the City and County of San Francisco met in their chambers, Room 505-2, Thomas J. Cahill Hall of Justice, 850 Bryant Street, San Francisco, at 5:00 p.m., in Closed Session.

PRESENT: Commissioners Herrera, Friday, Quaranta
ABSENT: Commissioners Chan, Perry

CONFERENCE WITH LEGAL COUNSEL - Existing Litigation

a. Diane Detoy v. City and County of San Francisco and Gregory Breslin, United States District Court No. C99-3072

NOVEMBER 1, 2000 **REGULAR MEETING**

The Police Commission of the City and County of San Francisco met in their chambers, Room 551, Thomas J. Cahill Hall of Justice, 850 Bryant Street, San Francisco, at 5:00 p.m., in Closed Session.

PRESENT: Commissioners Herrera, Perry, Friday, Quaranta
ABSENT: Commissioner Chan

DISCUSSION AND VOTE ON WHETHER TO DISCLOSE DISCUSSION AND DISCLOSURE OF ACTION TAKEN IN CLOSED SESSION

The Commission voted not to disclose.

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APPROVAL OF CONSENT CALENDAR

RESOLUTION NO. 67-00

DIANE DETOY v. CITY AND COUNTY OF SAN FRANCISCO AND GREGORY BRESLIN

RESOLVED, that the recommendation of the City Attorney for settlement of the litigation of "Diane Detoy v. City and County of San Francisco and Gregory Breslin," in United States District Court No. C99-3072, be, and the same is hereby approved.

Date of Incident: May 13, 1998

AYES: Commissioners Herrera, Perry, Friday, Quaranta
ABSENT: Commissioner Chan

RESOLUTION NO. 68-00

APPROVAL OF REQUEST OF OFFICERS MICHAEL REGALIA AND DAVID PAUL KUCIA TO EACH ACCEPT A $50.00 MACY'S GIFT CARD FROM MR. CHUNG PARK, AND TO DONATE SAME TO THE SFPD WIDOWS AND ORPHANS FUND

RESOLVED, that the Police Commission hereby approves request of Officers Michael Regalia and David Paul Kucia to each accept a $50.00 Macy's gift card from Mr. Chung Park and to donate same to the SFPD Widows and Orphans Fund.

AYES: Commissioners Herrera, Perry, Friday, Quaranta
ABSENT: Commissioner Chan

RESOLUTION NO. 69-00

APPROVAL OF REQUEST OF THE CHIEF OF POLICE TO ACCEPT

DONATION OF $1,500.00 FROM MS. LORI MATTHIAS, DIRECTOR OF YOUTH WITH A MISSION OF SAN FRANCISCO, FOR USE OF THE TENDERLOIN POLICE STATION

RESOLVED, that the Police Commission hereby approves request of the Chief of Police to accept donation of $1,500.00 from Ms. Lori Matthias, Director of Youth with a Mission of San Francisco, for use of the Tenderloin Police Station.

AYES: Commissioners Herrera, Perry, Friday, Quaranta
ABSENT: Commissioner Chan

POLICE COMMISSION ANNOUNCEMENTS

a. Motion of Calendaring of New Items

The Commission asked that Roll Call Training and Crime on Muni be calendared for next week.

No meeting on the 22nd.

The Commission introduced Bevin Duffy from the Mayor's Office who presented Certificate of Appreciation to The Independent Newspaper.

The death of Sgt. Layne Amiot was announced.

CHIEF'S ANNOUNCEMENTS AND REVIEW OF RECENT DEPARTMENT EVENTS

Chief Lau defers to Commander Suhr who briefed the Commission on Halloween events.

OCC DIRECTOR'S REPORT RE: STAFFING AND BUDGET AND SUMMARY OF RECENT EVENTS

Director Mary Dunlap stated no Halloween complaints and expressed regrets on death of Sgt. Amiot.

Commissioner Herrera asked regarding staff openings.

Thereafter, the meeting was adjourned at 5:50 p.m. in memory of Sergeant Layne Amiot.

_____
Lieutenant Manuel Barretta
Secretary
THE POLICE COMMISSION

1137/rc

The Police Commission

CITY AND COUNTY OF SAN FRANCISCO

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LT. MANUEL BARRETTA
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SAN FRANCISCO POLICE COMMISSION AGENDA

AND NOTICE OF SPECIAL MEETING
WEDNESDAY, NOVEMBER 8, 2000
5:15 p.m.

Thomas J. Cahill Hall of Justice
850 Bryant Street, Room 505
San Francisco, California

CLOSED SESSION

1. Roll Call

2. Public Comment on all matters pertaining to the Closed Session

3. Vote on whether to hold Closed Session and/or assert Attorney/Client Privilege to confer with legal counsel. (San Francisco Administration Code Section 67.11(a).)

4. Closed Session held pursuant to Government Code 54956.9 and San Francisco Administrative Code Section 67.11(b).

   CONFERENCE WITH LEGAL COUNSEL - Existing Litigation

   a. Graciela & Murdock Cashion v. City and County of San Francisco, United States Superior Court No. 313-098

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SAN FRANCISCO POLICE COMMISSION AGENDA

REGULAR MEETING
WEDNESDAY, NOVEMBER 8, 2000
5:30 p.m.

Thomas J. Cahill Hall of Justice
850 Bryant Street, Room 551
San Francisco, California

1. Pledge of Allegiance
2. Roll Call
3. Discussion and Vote on whether to Disclose Discussion and Disclosure of Action taken in Closed Session
4. Approval of Consent Calendar
5. Police Commission Announcements
   a. Motion of Calendaring of New Items
6. Chief's Announcements and Review of Recent Department Events
7. Presentation of Certificate of Commendation for Mr. Harvey Ravin
8. OCC Director's Report re: Staffing and Budget and Summary of Recent Events
9. Status Report re: OCC Policy Recommendations
10. Public Comments
    (Members of the public may address the Commission on items that are within the subject matter jurisdiction of the Police Commission that do not appear on the agenda.)

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SAN FRANCISCO POLICE COMMISSION AGENDA

REGULAR MEETING
WEDNESDAY, NOVEMBER 8, 2000
5:30 p.m.

Thomas J. Cahill Hall of Justice
850 Bryant Street, Room 551
San Francisco, California

CONSENT CALENDAR

1. Recommendation of the City Attorney for Settlement of the following claim:

   a. Graciela & Murdock Cashion v. City and County of San Francisco, United States Superior Court No. 313-098

**There will be Public Comments on any item before or during discussion of each item.*

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For information about the meeting call 553 1667(v) or 553 9194 (tty)

NOVEMBER 8, 2000 CLOSED SESSION

The Police Commission of the City and County of San Francisco met in their chambers, Room 505-2, Thomas J. Cahill Hall of Justice, 850 Bryant Street, San Francisco, at 5:20 p.m., in Closed Session.

PRESENT: Commissioners Herrera, Perry, Friday, Quaranta
ABSENT: Commissioner Chan

CONFERENCE WITH LEGAL COUNSEL - Existing Litigation

a. Graciela & Murdock Cashion v. City and County of San Francisco, United States Superior Court NO. 313-098

NOVEMBER 8, 2000 REGULAR MEETING

The Police Commission of the City and County of San Francisco met in their chambers, Room 551, Thomas J. Cahill Hall of Justice, 850 Bryant Street, San Francisco, at 6:05 p.m., in a Regular Meeting.

PRESENT: Commissioners Herrera, Perry, Friday, Quaranta
ABSENT: Commissioner Chan

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DISCUSSION AND VOTE ON WHETHER TO DISCLOSE DISCUSSION AND DISCLOSURE OF ACTION TAKEN IN CLOSED SESSION

The Commission voted not to disclose.

APPROVAL OF CONSENT CALENDAR

RESOLUTION NO. 70-00

GRACIELA & MURDOCK CASHION v. CITY AND COUNTY OF SAN FRANCISCO, UNITED STATES SUPERIOR COURT NO. 313-098

RESOLVED, that the recommendation of the City Attorney for settlement of the litigation of "Graciela & Murdock Cashion v. City and County of San Francisco," in United States Superior Court No. C313-098, be, and the same is hereby approved.

Date of Incident: December 27, 1999

AYES: Commissioners Herrera, Perry, Friday, Quaranta
ABSENT: Commissioner Chan

POLICE COMMISSION ANNOUNCEMENTS

a. Motion of Calendaring of New Items

No meeting on the 22nd of November.

CHIEF'S ANNOUNCEMENTS AND REVIEW OF RECENT DEPARTMENT EVENTS

Chief Lau defers to Captain Keith Sanford, Muni, who updated the Commission regarding status of crimes on Muni.

PRESENTATION OF CERTIFICATE OF COMMENDATION FOR MR. HARVEY RADIN

Chief Lau presented Mr. Radin with Certificate of Commendation.

OCC DIRECTOR'S REPORT RE: STAFFING AND BUDGET AND SUMMARY OF RECENT EVENTS

Director Mary Dunlap discussed complaints regarding actions of Police at 16th Street and Mission.

STATUS REPORT RE: OCC POLICY RECOMMENDATIONS

Put over to next week.

PUBLIC COMMENTS

None

Thereafter, the meeting was adjourned at 6:05 p.m.

_____
Lieutenant Manuel Barretta
Secretary
THE POLICE COMMISSION

1137/rc

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SAN FRANCISCO POLICE COMMISSION AGENDA

REGULAR MEETING
WEDNESDAY, NOVEMBER 15, 2000
5:30 p.m.

Thomas J. Cahill Hall of Justice
850 Bryant Street, Room 551
San Francisco, California

Fax 11/9/00
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1. Pledge of Allegiance
2. Roll Call
3. Police Commission Announcements
   a. Motion of Calendaring of New Items
4. Chief's Announcements and Review of Recent Department Events
5. Status Report re: Roll Call Training
6. Request of the Chief of Police for Approval to Enter into Agreement with the State of California to Obtain Driving and Use of Force Training Simulators
7. OCC Director's Report re: Staffing and Budget and Summary of Recent Events
8. Status Report re: OCC Early Warning System Report, First & Second Quarter 2000
9. Status Report re: OCC Policy Recommendations
10. Public Comments
    (Members of the public may address the Commission on items that are within the subject matter jurisdiction of the Police Commission that do not appear on the agenda.)
11. Hearing and Disposition on Disciplinary Charges filed against Officer Carlos J. Mustafich, Taraval (File No. C00-253 JWA)

**There will be Public Comments on any item before or during discussion of each item*

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SAN FRANCISCO POLICE COMMISSION
PUBLIC MEETING/HEARING ACCESSIBILITY INFORMATION

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The proceeding will be held at the Hall of Justice, 850 Bryant Street, 5th floor Police Commission Hearing Room. The closest accessible BART station is 5th and Mission Streets. Accessible MUNI lines serving this location are 42 and 9X San Bruno Express.

For information about MUNI service call 923 6142

Accessible parking is available in front of the Hall of Justice, 850 Bryant Street.

Accessible seating for persons with disabilities and wheelchairs will be available.

For information about the meeting call 553 1667(v) or 553 9194 (tty)

NOVEMBER 15, 2000 **REGULAR MEETING**

The Police Commission of the City and County of San Francisco met in their chambers, Room 551, Thomas J. Cahill Hall of Justice, 850 Bryant Street, San Francisco, at 5:30 p.m., in a Regular Meeting.

PRESENT: Commissioners Herrera, Perry, Friday, Quaranta
ABSENT: Commissioner Chan

POLICE COMMISSION ANNOUNCEMENTS

a. Motion of Calendaring of New Items

No meeting next week. Next meeting will be on November 29th.

STATUS REPORT RE: OCC POLICY RECOMMENDATIONS

Taken out of order. Over to December 20th.

HEARING AND DISPOSITION ON DISCIPLINARY CHARGES FILED AGAINST OFFICER CARLOS J. MUSTAFICH, TARAVAL (FILE NO. C00-253 JWA)

Taken off calendar.

CHIEF'S ANNOUNCEMENTS AND REVIEW OF RECENT DEPARTMENT EVENTS

Assistant Chief Sanders for Chief Lau updated the Commission regarding communications cut over on 11/12/00 and stated all went well.

STATUS REPORT RE: ROLL CALL TRAINING

Captain Dan Lawson, Academy, presented Roll Call Training update.

OCC DIRECTOR'S REPORT RE: STAFFING AND BUDGET AND SUMMARY OF RECENT EVENTS

and

STATUS REPORT RE: OCC EARLY WARNING SYSTEM REPORT, FIRST AND SECOND QUARTER 2000

Director Mary Dunlap presented Early Warning System Report.

PUBLIC COMMENTS

Unidentified discussed actions of officers and OCC.

Thereafter, the meeting was adjourned at 5:55 p.m.

Lieutenant Manuel Barretta
Secretary
THE POLICE COMMISSION

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The Police Commission

CITY AND COUNTY OF SAN FRANCISCO

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President

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Vice President

CONNIE FERRY
Commissioner

WAYNE FRIDAY
Commissioner

ANGELO QUARANTA
Commissioner

LT MANUEL BARRETTA
Secretary

/00
ancelled

CALENDAR OF PROCEEDINGS
POLICE COMMISSION MEETING

There will be no Police Commission Regular Meeting on ***Wednesday, November 22, 2000***. The next Police Commission Regular Meeting will be on **Wednesday, November 29, 2000**, 5:30 p.m., at Thomas J. Cahill Hall of Justice, 850 Bryant Street, San Francisco, Room 551.

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Commissioner

LT MANUEL BARRETTA
Secretary

SAN FRANCISCO POLICE COMMISSION AGENDA

REGULAR MEETING
WEDNESDAY, NOVEMBER 29, 2000
5:30 p.m.

Thomas J. Cahill Hall of Justice
850 Bryant Street, Room 551
San Francisco, California

Fax 11/22/00

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1. Pledge of Allegiance
2. Roll Call
3. Approval of Consent Calendar
4. Assignment of Commissioner and Setting of Date for Taking of Evidence on Disciplinary Charges filed against Officer Rickey L. Williams, Ingleside (File No. SCM C00-0351)
5. Police Commission Announcements
   a. Motion of Calendaring of New Items
6. Chief's Announcements and Review of Recent Department Events
7. OCC Director's Report re: Staffing and Budget and Summary of Recent Events
8. Public Comments
   (Members of the public may address the Commission on items that are within the subject matter jurisdiction of the Police Commission that do not appear on the agenda.)

CONSENT CALENDAR

1. Request of the Chief of Police to Accept Donation of a Steyr Aug, Black Stock with Factory Accessories, Serial No. 906SA742, valued at approximately $2000.00, from Sergeant Al Wong, for Use of the SFPD Range

**There will be Public Comments on any item before or during discussion of each item.*

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(Chapter 67 of the San Francisco Administrative Code)

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SAN FRANCISCO POLICE COMMISSION
PUBLIC MEETING/HEARING ACCESSIBILITY INFORMATION

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For information about the meeting call 553 1667(v) or 553 9194 (tty)

NOVEMBER 29, 2000 REGULAR MEETING

The Police Commission of the City and County of San Francisco met in their chambers, Room 551, Thomas J. Cahill Hall of Justice, 850 Bryant Street, San Francisco, at 5:35 p.m., in a Regular Meeting.

PRESENT: Commissioners Herrera, Chan, Perry
ABSENT: Commissioners Friday, Quaranta

APPROVAL OF CONSENT CALENDAR

RESOLUTION NO. 72-00

APPROVAL TO ACCEPT DONATION OF A STEYR AUG RIFLE, BLACK STOCK WITH FACTORY ACCESSORIES, SERIAL NO. 906SA742, VALUED AT APPROXIMATELY $2000.00 FROM SERGEANT AL WONG, FOR USE OF THE SFPD RANGE

RESOLVED, that the Police Commission hereby approves request of the Chief of Police to accept donation of a Steyr Aug Rifle, black stock with factory accessories, serial no. 906SA742, valued at approximately $2000.00 from Sergeant Al Wong, for use of the SFPD Range.

AYES: Commissioners Herrera, Chan, Perry
ABSENT: Commissioner Friday, Quaranta

RESOLUTION NO. 73-00

ASSIGNMENT OF COMMISSIONER AND SETTING OF DATE FOR TAKING OF EVIDENCE ON DISCIPLINARY CHARGES FILED AGAINST OFFICER RICKEY L. WILLIAMS, INGLESIDE (FILE NO. SCM C00-0351)

WHEREAS, the assignment of a Commissioner and setting of a date to conduct taking of evidence in disciplinary charges filed against Officer Rickey L. Williams, Star No. 167, Ingleside, was called it having been set for this date; and

WHEREAS, Commissioner Sidney Chan is hereby assigned to conduct taking of evidence in the disciplinary charges filed against Officer Rickey L. Williams; therefore be it

RESOLVED, that Commissioner Sidney Chan is hereby assigned to conduct taking of evidence in the disciplinary charges filed against Officer Rickey L. Williams, and is to be set at a later date.

AYES: Commissioners Herrera, Chan, Perry
ABSENT: Commissioners Friday, Quaranta

POLICE COMMISSION ANNOUNCEMENTS

a. Motion of Calendaring of New Items

Next week's meeting will be held in the Taraval District. No meeting on the 13th, meeting on the 20th, and no meeting on the 27th.

Commissioner Herrera discussed retention and attracting qualified new officers and asked the Chief to report back.

CHIEF'S ANNOUNCEMENTS AND REVIEW OF RECENT DEPARTMENT EVENTS

Deputy Chief Mindy Pengel for Chief Lau.

Deputy Chief Heather Fong presented plaques from Bexar County, Texas to Officers Jesus Pena and Joseph Flores of the Tenderloin Station.

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OCC DIRECTOR'S REPORT RE: STAFFING AND BUDGET AND SUMMARY OF RECENT EVENTS

Director Mary Dunlap discussed death of former employee Pam Moy and that the OCC staff made donation to the Fishing Program in her memory.

Director Dunlap stated she's attending conference at UCLA regarding Citizens Review organizations.

PUBLIC COMMENTS

None.

Thereafter, the meeting was adjourned in memory of Investigator Pam Moy.

Lieutenant Manuel Barretta
Secretary
THE POLICE COMMISSION

1137/rc

The San Francisco Police Commission

and

The Officers of Taraval Station

invite you to attend

A Special Meeting of the Police Commission

Wednesday, December 6, 2000
6:00 PM

Taraval Station Community Room
2345 - 24th Avenue

This is your yearly opportunity to address the governing body of the San Francisco Police Department. Residents of the Taraval District are invited to voice their concerns directly to the Commissioners, Chief Lau and the Department Command Staff.

Captain Michael Yalon will present a "***State of the District Report***".
A public comment period will follow.

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The Police Commission

CITY AND COUNTY OF SAN FRANCISCO

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WAYNE FRIDAY
Commissioner

ANGELO QUARANTA
Commissioner

LT. MANUEL BARRETTA
Secretary

SAN FRANCISCO POLICE COMMISSION AGENDA
REGULAR MEETING
WEDNESDAY, DECEMBER 6, 2000
6:00 p.m.

TARAVAL DISTRICT
TARAVAL STATION COMMUNITY ROOM
2345 24th Avenue
San Francisco

1. Pledge of Allegiance
2. Roll Call
3. Police Commission Announcements
   a. Motion of Calendaring of New Items
4. Chief's Announcements and Review of Recent Department Events
5. OCC Director's Report re: Staffing, Budget and Summary of Recent Events
6. Captain Michael Yalon, Commanding Officer of Taraval Station, to address the Commission on Police Activities in the Taraval District
7. Public Comments
   (Members of the public may address the Commission for up to 3 minutes for individuals or up to 5 minutes for groups. The President of the Commission may limit the total testimony time.)

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**There will be Public Comments on any item before or during discussion of each item.*

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PUBLIC MEETING/HEARING
ACCESSIBILITY INFORMATION

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A sound enhancement system will be available upon request at the proceeding. Please contact Sgt. Michael Sullivan, at 553 1343 at least 72 hours prior to a proceeding.
Late requests will be honored if possible.

Minutes of the proceedings are available in alternative formats. If you require the use of a reader during the meeting, please contact Sgt. Michael Sullivan, at 553 1343 at least 72 hours prior to a proceeding. Late requests will be honored if possible.

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The proceeding will be held at Taraval Police Station Community Room, 2345 24th Avenue.
The closest accessible BART n/a.
Accessible MUNI lines serving this location are "L" Street Car Line; Wayside Platform on 22nd and Taraval

For information about MUNI service call 923 6142.

Accessible parking is available at the following location: 2345 24th Avenue; Free parking on Santiago Street along McCoppin Square

Accessible seating for persons with disabilities and wheelchairs will be available

- For information about the meeting call 553-1667 Voice, or 553 9194 TDD.

San Francisco Police Department

DECEMBER 6, 2000 **REGULAR MEETING**

The Police Commission of the City and County of San Francisco met in the Taraval District, Taraval Station Community Room, 2345 24th Avenue, San Francisco, at 6:05 p.m., in a Regular Meeting

PRESENT: Commissioners Herrera, Chan, Perry, Friday, Quaranta

POLICE COMMISSION ANNOUNCEMENTS

a. Motion of Calendaring of New Items

Commissioner Herrera welcomed the audience and the Commissioners introduced themselves.

No meeting on the 13th. Next meeting will be on the 20th.

Supervisor Leland Yee, Board of Supervisors, addressed the Commission regarding staffing levels at stations.

Supervisor Amos Brown, Board of Supervisors, addressed the Commission regarding substation at Broad and Plymouth Streets and staffing levels at district stations.

CHIEF'S ANNOUNCEMENTS AND REVIEW OF RECENT DEPARTMENT EVENTS

Assistant Chief Sanders for Chief Lau introduced the command staff and discussed rolling blackouts. Chief Sanders also stated that there were 1500 applicants that took the Q2 exam.

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OCC DIRECTOR'S REPORT RE: STAFFING, BUDGET, AND SUMMARY OF RECENT EVENTS

Director Mary Dunlap described duties and responsibilities of the OCC.

CAPTAIN MICHAEL YALON, COMMANDING OFFICER OF TARAVAL STATION, TO ADDRESS THE COMMISSION ON POLICE ACTIVITIES IN THE TARAVAL DISTRICT

Captain Michael Yalon welcomed the Commission and presented state of the district.

Commissioner Friday discussed staff shortage and stated more officers needed at station level.

Commissioner Herrera discussed pedestrian safety.

PUBLIC COMMENTS

Unidentified discussed concerns about traffic on Sloat Boulevard.

Will Reno, OMI, asked for more officers.

Paulette Burls, Park Merced, discussed crime in Park Merced area.

Al Lewis, resident, Citizens on Patrol, discussed crime in area.

Gary Welstead, Broad Street resident, discussed drug dealing.

Mary, resident, thanked Taraval officers.

Mrs. Johansen asked for more officers for Taraval.

Jason Baker, resident, thanked Captain Yalon and asked for beat officers for the inner Sunset.

Regina Blauser asked for more officers and asked for a substation community center.

Thereafter, the meeting was adjourned at 8:05 p.m.

_____

Lieutenant Manuel Barretta
Secretary
THE POLICE COMMISSION

The Police Commission

CITY AND COUNTY OF SAN FRANCISCO

DENNIS HERRERA
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Vice President

CONNIE PERRY
Commissioner

WAYNE FRIDAY
Commissioner

ANGELO QUARANTA
Commissioner

LT. MANUEL BARRETTA
Secretary

CALENDAR OF PROCEEDINGS
POLICE COMMISSION MEETING

There will be no Police Commission Regular Meeting on ***Wednesday, December 13, 2000***. The next Police Commission Regular Meeting will be on **Wednesday, December 20, 2000**, 5:30 p.m., at Thomas J. Cahill Hall of Justice, 850 Bryant Street, San Francisco, Room 551.

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